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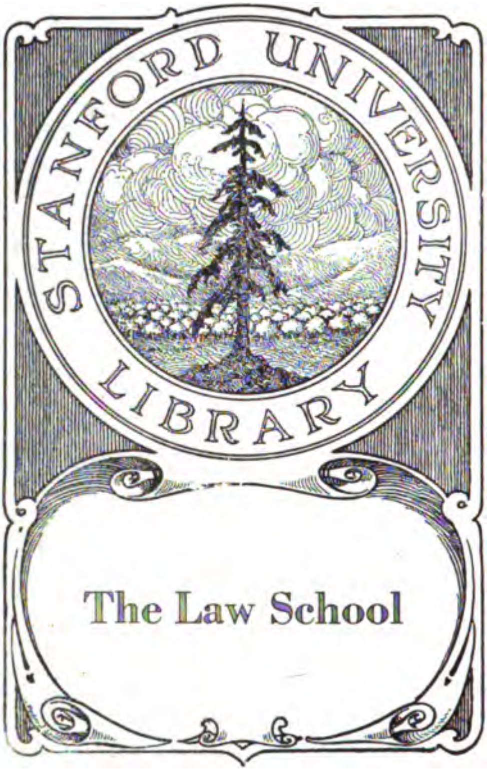

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ACTS

OF THE

STATE OF TENNESSEE

PASSED BY THE

FORTY-SEVENTH GENERAL ASSEMBLY

1891.

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PUBLIC ACTS
OF THE
General Assembly of the State of Tennessee,
PASSED BY THE FIRST SESSION OF THE
FORTY-SEVENTH GENERAL ASSEMBLY,

*Which was Begun and Held at Nashville on the First Monday
in January, in the Year of our Lord One Thousand
Eight Hundred and Ninety-one.*

CHAPTER I.

AN ACT to regulate the laying out and working of Public Roads, and compile the Road Law, and to include all laws on this subject in one Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all the roads now laid out according to law, or shall be laid out, shall be deemed public roads.

Districts and Commissioners

SEC. 2. *Be it further enacted,* That it shall be the duty of the County Courts at the January term to divide their counties into one or more road districts, and to elect one road commissioner for each district for a term of two years, and until his successor is elected and qualified; *provided,* the road districts shall remain as they are now established until the same are altered by law, and the commissioners shall be elected at the April term of the Court in 1891, and if not then elected a called meeting of the County Court shall be held for the purpose, and shall hold their office until the first of January, 1893, and until their successors are elected and qualified. Said commissioners must be freeholders in the district for which they are elected, and live in the same.

Changes an vacancies.

SEC. 3. *Be it further enacted,* That the County Court, at its term in the year 1891 when commissioners are elected, and at each January term thereafter when commissioners are elected, may increase or diminish, alter or change the road districts of said county as they may deem best, and vacancies may be filled at any quarterly term, and such commissioners shall serve until the next regular election.

Service as Commissioner obligatory.

SEC. 4. *Be it further enacted,* That said commissioners shall serve at least one term, and any person subject to highway labor who shall fail or refuse to serve when served with notice of his appointment shall be guilty of a misdemeanor; but for good reason shown the Quarterly Court may receive the resignation of any commissioner when tendered in writing, giving good and sufficient cause for the same; and no person shall be required to serve more than once in two consecutive terms.

Control.

SEC. 5. *Be it further enacted,* That each commissioner shall have control of the highways and bridges in his district, and shall have general supervision of the overseers or contractors of his district, and direct the manner of working the roads in said district; and it shall be the duty of said overseers and contractors to work the public roads as directed by said commissioner.

Contracts.

SEC. 6. *Be it further enacted,* That said commissioner may contract with any tax payer to perform any labor upon the highway, or to furnish any material for the same, and give the necessary credit therefore; *provided,* that said commissioner shall make no debt by contract or otherwise in any one year in excess of the road fund due said district for said year, and in no case shall any commissioner, either directly or indirectly, be interested in any contract.

Sheriff to notify Commissioners.

SEC. 7. *Be it further enacted,* That the County Court shall, within ten days after the election of any such commissioner, deliver to the sheriff duplicate certificates thereof, giving the bounds of his road district, and said sheriff shall deliver one copy to said commissioner and make his return upon the other, within twenty days, to be filed in the office of the County Court Clerk; and for failure to do so said clerk or sheriff shall forfeit and pay five ($5) dollars for each offense, to be recovered before any justice of the peace of his county, by any road hand or tax payer of such commissioner's district, such penalty to be paid to the County Trustee for the benefit of the public roads of said district. The sheriff shall be allowed twenty-five cents for delivering each certificate.

Oath of Commissioner.

SEC. 8. *Be it further enacted,* That said commissioner, before entering upon the duties of his office, shall take and subscribe to an oath before the County Court Clerk, to be filed by him with said clerk that he will, to the best of his ability, discharge all the duties of his office, and properly account for all moneys and other property which may come into his hands by virtue of his office.

Removals.

SEC. 9. *Be it further enacted,* That the County Court may remove any commissioner from office for failure to properly perform any of the duties required of him, but such commissioner shall have at least five days' notice of the charges preferred against him, and shall be heard in his defense; but when two or more highway districts have been consolidated the office of any or all commissioners may be declared vacant by the County Court without notice.

Record of work

Report.

SEC. 10. *Be it further enacted,* That each commissioner shall keep in a book provided for that purpose a correct record of all his official transactions, and shall make a full and complete report of the same to the judge or chairman of the County Court on the 25th day of December of each year, accompanying said report with an itemized statement showing the number and amount of each order drawn and to whom made payable, and when he has received any money from delinquent hands, or other sources, a statement of his receipts and disbursements, and shall file with said report the stubs of orders issued and receipts for money disbursed, and all other vouchers necessary to a full understanding of the transactions, which report, stubs, receipts, and vouchers shall remain and be preserved in the office of the County Judge or Chairman for inspection by the tax payers of the respective districts.

Classification of roads.

SEC. 11. *Be it further enacted,* That the County Court shall classify the public roads in the several counties of this State at their January term after the year 1891, and shall specify in each class the width of road-bed between ditches and the distance between fences; *provided* the same dimensions shall be within the provisions of this Act, which classification shall be entered of record in the office of the County Court Clerk in a book to be kept for that purpose; *provided,* that they do not divide the public highways into more than four classes of widths, hereinafter described; *and provided further,* that said classification for 1891 shall take place at the term when commisioners are elected.

Overseers.

SEC. 12. *Be it further enacted,* That the commissioner shall appoint all overseers, who shall have charge of not less than one nor more than five miles of road, and who shall reside on or near the section or sections of road over which they are respectively appointed, and who shall serve one year, or until his order of appointment is returned, or his dismissal by the commissioner. Within ten days after an overseer is appointed the commissioner shall deliver to him an order giving him the limit and class of his section or sections of road, the farms and residences allotted to said section or sections, and the number of days the hands assigned him are liable to work upon the highway in any one year, and said commissioner shall have regard to convenience of residence of such hands, as much as possible, and may make such changes at any time as are necessary.

Road tools.

SEC. 13. *Be it further enacted*, That the commissioners shall take charge of all road tools in their respective districts, and may require overseers or contractors to give bond for the care of tools furnished them; and the commissioners shall not allow any overseer or contractor his pay until he shall account for all tools so furnished; and the commissioner may also sue any overseer for the loss of such tools, or any person for the conversion of the same or injury thereto.

Changes of roads.

Notice to non-resident property holders.

Commissioners' associates.

SEC. 14. *Be it further enacted*, That all applications to open, change or close a road shall be made by written petition, signed by the applicant, to the commissioner of the district through which the road runs, or is asked to be located, specifying in particular the changes or action asked, or if the road extends into two or more districts, or is the dividing line between districts, then to the commissioners of said districts; but no road shall be opened, changed or closed without giving at least five days notice to all parties interested of the time said road or roads are to be opened, changed or closed, and a surveyor or civil engineer may be employed if necessary to locate the same. Land owners and those controlling land touched by the proposed highway shall be deemed interested parties; if any owner of the land so concerned is a non-resident then notice to his agent or attorney, if any such agent or attorney resides in the county, shall be sufficient. If there be no such agent or attorney then the notice shall be made by publication for four (4) consecutive weeks in the newspaper having the greatest circulation in the county, the last publication to be at least one (1) week before the hearing. Where the opening, changing or closing of a public highway only affects one commissioner's district, the said commissioner shall associate with himself two other freeholders of said district whom he has never consulted upon the question involved, and who shall be in no way related to the parties affected by such change, closing or opening of said highway, and who shall take and subscribe to an oath before said commissioner to act without favor or partiality in the matter, whose oaths thus subscribed shall become part of the record, upon appeal being taken, and the said commissioner and two freeholders shall constitute a jury of view, and said jury shall have the power of condemnation and to assess damages, which shall be paid out of the general funds raised for county purposes, upon the order of the commissioner on the County Judge or Chairman of the County Court, who shall issue his warrant therefor if he approves the same. Any person or persons considering themselves aggrieved by the action of the jury of view may appeal to the next Quarterly County Court, and from there to the Circuit and Supreme Courts. In case of an appeal the jury of view shall forward all the papers in the case, with their action on the same, to the said Quarterly Court appealed to. All costs accruing in such suit shall be paid by the appelant, if the action of the jury of view is sustained by the Court giving final decision, unless for good reason it should otherwise order. Should such case be decided against the jury of view, then all costs and any additional damages assessed by the Court shall be paid out of the general fund raised for the current county purposes. If the action of the jury of view be affirmed the commissioner or commissioners shall then proceed as if no appeal had been taken; if otherwise, the order of the Court shall be carried out. All persons appealing from the decision of a jury of view to any court having jurisdiction of the matter shall execute a bond for the costs of the suit. In case of an appeal the District Attorney-general shall attend the case for the county in the Circuit Court, and shall be paid the sum of five dollars for each case attended to, and the Attorney-general for the State shall represent the county in such cases before the Supreme Court. The jury of view shall receive one dollar per day for their services, which, with other costs and damages accruing upon the opening, closing or changing of roads, shall be paid out of the general county funds upon the order of the commissioner upon the Judge or Chairman of the County Court, upon which he shall issue his warrant, subject always to his approval. Whenever land-owners and those controlling land touched by the highway proposed to be changed, closed or opened shall waive in writing any claim for damages sustained thereby, then the commissioner or commissioners shall proceed, independently of a jury of view, to execute the particular

Jury of View.

Appeals

Costs

Appeal bond.

Compensation

Waiver of damages.

action asked in the petition, if in their discretion they think the public interest shall not be materially injured thereby. The commissioner may, without petition or application, proceed to open, close, change and construct any public highway which he may deem to be necessary for the public interest. Where any two road districts are involved in any question requiring a jury of view the two commissioners and one freeholder shall constitute said jury, and where three or more districts are involved then the commissioners of all the districts interested shall constitute the same, and no commissioner shall be required to take an oath before serving on such jury of view.

Joint Districts.

Purchase of tools and materials.

SEC. 15. *Be it further enacted,* That the commissioners may purchase all necessary tools, including improved scrapers, etc., for working highways, and may also purchase timber and other material to keep the highways and bridges in repair, and may contract for building necessary bridges and other work, to be paid for upon the order of said commissioner with any money in the hands of the County Trustee belonging to the road fund of their respective districts, but they shall not contract any debt to be paid for by any future assessment unless authorized by the County Court, and in no case shall any contract be let to a commissioner.

Grades.

SEC. 16. *Be it further enacted,* That in laying out new roads, or changing the location of old roads, the roads shall be placed upon ground as nearly level as practicable, so as to avoid heavy grades, and it shall be the duty of the commissioner to see that this is done; and it shall be his duty to reduce the grades on all roads, as far as a judicious expenditure of the means at his command will allow, by cutting down sharp points, embankments and hills. Where roads can be changed so as to avoid hills and heavy grades, without too great diversion of the route, and without too great expense to individuals and the public, the commissioner shall endeavor to secure such change.

Disputes with overseers.

SEC. 17. *Be it further enacted,* That the commissioner may remove any overseer from office who shall fail or refuse to perform his duty, or comply with any reasonable order of said commissioner; and in all disputes with hands or tax payers in regard to their respective duties, the overseer shall refer the matter in dispute to the commissioner and abide his decision.

Settlements

SEC. 18. *Be it further enacted,* That the commissioners shall settle with the overseers in their respective districts before the 25th day of December each year for services rendered, by giving order to the County Judge or Chairman for amount, and shall require each overseer to make oath before some justice of the peace of his county of the number of days of actual service, and may require other proof when necessary; and shall require proof of the safe-keeping of all tools furnished said overseer before giving order for his per diem.

Refusal to work.

SEC. 19. *Be it further enacted*, That when any person subject to road duty has been legally notified, as provided in this Act, and shall fail or refuse to work, or willfully disobeys the summons of the overseer, who shall fail or refuse to commute for such work, it shall be the duty of the overseer to report such default to the commissioner, whose duty it shall be to bring suit against the person so defaulting, before any justice of the peace in the county for the amount of the claim and recover judgment, to which shall be added the costs against such person. And no property or wages, except the homestead, shall be exempt from execution for the payment of said judgment and costs.

Penalties.

SEC. 20. *Be it further enacted*, That any such person or persons willfully disobeying the overseer's summons, or so failing or refusing to commute as above, shall be guilty of a misdemeanor, and liable to fine and punishment as in other misdemeanors. Any money collected by execution or fines imposed and collected under this Act shall be paid by the officer or persons collecting the same to the commissioner, to be applied by him to the road upon which the offender was assigned to work. Nothing in this Act shall abridge the right of any offender to submit his case before any justice of the peace of his county.

Duties of overseers.

SEC. 21. *Be it further enacted*, That overseers, upon receiving their orders of appointment, shall take immediate supervision of their respective roads, and may work any part of the same at any time they may think necessary or the commissioner may direct; provided it be within the time prescribed by the County Court, by giving three days' notice to hands, Sunday excepted, subject to work the same. A legal notice shall consist of a verbal warning by the overseer or a written notice left at the home or usual stopping-place of any hand, and said overseers shall be present and superintend all work done, and shall not require more than three days' work in any one week for any section or sections of road, nor shall any overseer receive pay for more than one warn-

Notice to hands.

ing or notice to hands for any one working; *Provided*, that notice given to hands at the close of any day worked to work on any subsequent day, within the next thirty days, fixed and designated by said overseer, shall be legal and sufficient notice.

Casualties.

SEC. 22. *Be it further enacted*, That if any highway shall become impassable by reason of any casualty, from any cause whatever, overseers may contract with any hands on the section of road where such casualty occurs, and repair the same, and shall give such hands credit for the time employed on their labor assessment for the ensuing year.

Material taken.

SEC. 23. *Be it further enacted*, That any overseer, or any person acting under his authority, may enter upon any lands adjoining or near to his section of road to construct any drain or ditch necessary for the preservation or improvement of such road, or to obtain any rock, gravel, timber or other material for use upon such road, provided he can do so without imposing any material damage upon the owner or occupant of such land, said owners and occupants first being consulted, and a fair valuation being agreed upon by the overseer before removing the same, to be paid for by order of the commissioner as hereinbefore provided.

Mile and guide posts.

SEC. 24. *Be it further enacted*, That commissioners shall furnish durable mile-posts, giving distance to county seats or prominent places, on all first and second class roads to be worked by overseers, and require said overseers to erect the same and keep them up; and overseers shall keep guide-posts at all cross roads, or forks of roads of the above classes, directing to the most public place on each road, and place foot-logs, with hand-rails, over all streams, if practicable, where there are no bridges; and any person willfully damaging any such mile-posts, guide-posts or foot-logs in any manner, shall be guilty of a misdemeanor.

Hands dismissed.

SEC. 25. *Be it further enacted*, That overseers shall dismiss from service upon the road any hand or hands, whether working for himself or as a substitute, who shall fail to do good and sufficient work, or shall hinder other hands, or may be intoxicated, or shall refuse to obey any reasonable orders of said overseer, and it shall be the duty of the commissioner, when notified by the overseer, to proceed against said hand or hands as though he or they had refused to obey the notice to work said roads.

Classification of roads.

SEC 26. *Be it further enacted*, That all roads laid off and worked under this Act shall be known and classified as first, second, third, and fourth class roads. Roads of the first class shall be not more than fifty nor less than twenty-four feet wide; roads of the second class, not more than twenty-four nor less than eighteen feet wide; roads of the third class, not more than eighteen nor less than fourteen feet wide; and roads of the fourth class not more than fourteen nor less than ten feet wide. And all roads of the first class shall have worked a road-bed of at least twenty feet as the minimum width for said roads, sixteen feet for second-class roads, twelve feet for third class roads, and eight feet for fourth class roads; and in constructing such road-beds broken stones or gravel shall be used when the same can be conveniently obtained to form the surface. *And provided further*, that where it is possible and practicable, that road-beds shall be graded with a fall of one inch to the foot from the center of road to the ditches. Overseers shall also maintain ditches at each side of such road-bed adequate to drain the road-bed. The County Court may require sections of roads near populous cities to have road-beds graded to any width, not beyond the maximum width allowed in this Act, for all roads of said class, and when the condition of the said road requires it timbers shall be employed to construct said road-bed in whatever way the commissioner may direct, and if practicable he may have wet or "spouty" places underdrained by tile draining.

Streams not roads.

SEC. 27. *Be it further enacted*, That the bed of no stream of running water shall be measured as the width of any road, and the overseer, by and with the advice of the commissioner, shall open all old roads to the width set out in this Act when necessary for the proper working of the same; and the commissioner or commissioners shall assess damages as hereinbefore provided.

Roads between districts

SEC. 28. *Be it further* enacted, That if any highway worked under the provisions of this Act shall be the dividing line between two or more road districts, the commissioners of the respective districts may divide the same, or may, by agreement, work by joint effort, but if said commissioners fail to agree then the same shall be referred to the County Judge or Chairman, who shall select four disinterested justices of the peace who, in conjunction with the judge or chairman and the two commissioners, shall determine how said road shall be worked, and it shall be the duty of said commissioners to abide by and perform the decision of the said board, said board to be paid as juries of view hereinbefore provided.

Obstructing roads a misdemeanor.

SEC. 29. *Be it further enacted,* That any person or persons who shall put, haul or otherwise place or cause to be put, hauled or placed on any public highway, macadamized, cinder, gravel, plank or dirt road, any brush, briars or any other material or thing which may obstruct or damage such highway, or render it inconvenient or hurtful to the traveling public, or who may encroach upon the same in constructing any fence, wall or like improvement, shall be guilty of a misdemeanor, and be fined as in other misdemeanors. The commissioners shall bring suit against any person or persons thus obstructing, damaging or encroaching on any highway, within thirty days after such fact comes to his knowledge, and on failure to do so, shall be subject to a fine of five dollars ($5), which may be recovered by any person subject to highway duty in his district suing therefor. Such fine, when collected, and also any fine collected by the commissioners under this section, shall be paid on receivable warrant of County Judge or Chairman to the County Trustee for the benefit of the roads of the said commissioner's district.

Direlict Commissioners.

SEC. 30. *Be it further enacted,* That if any overseer or highway commissioner shall willfully fail or refuse to perform any duties required of him by this Act, or who shall show any partiality or discrimination in the exercise of his duties, shall forfeit and pay not more than twenty dollars ($20) for such offense, to be recovered by any person suing therefor before any justice of the peace, and shall be paid by the officer collecting the same to the County Trustee on receivable warrant of County Judge or Chairman, for the benefit of highways in the district where such failure to perform duty occurred; and for continued neglect in keeping their highways in good repair any overseer or commissioner may be indicted, and. upon conviction, may be fined not less than five nor more than fifty dollars, the District Attorney-general to be prosecutor, and the judge of the courts shall give this Act in charge to the grand jury; but it shall be a good defense for any commissioner or overseer failing to keep any highway in good repair to show by proof that the entire assessment in labor and in taxes were applied in good faith to such highway as soon as practicable after said labor and money was available to him.

Compensati of overseers.

SEC. 31. *Be it further enacted,* That each commissioner and overseer shall be exempt from working on highways except in the performance of his official duties imposed under this Act, and shall contribute as many days of official service as are assessed to the hands to work, free of charge. Said commissioners and overseers shall be paid one dollar for each day's official service of eight (8) hours actually rendered in excess of the number of days assessed to hands; *provided,* that on the payment of commissioners and overseers the amount added to other expenditures in each district shall not exceed the amount distributed to said district by the County Court for any one year, and the commissioner shall make affidavit to his account for labor, giving an itemized statement of the same, subject to the approval of the Judge or Chairman of the County Court.

Cities or towns.

SEC. 32. *Be it further enacted,* That the provisions of this Act shall not apply to incorporated cities or towns, except such towns as are not taxed to keep up their streets, but the County Courts of the respective counties shall order the enforcement of the provisions of this Act in such towns as are not taxed to keep up their streets, and which fail to work the same as prescribed by municipal authority.

Receipt books.

SEC. 33. *Be it further enacted,* That the County Court shall, at the expense of the county, to be paid out of the ordinary county funds, furnish to each commissioner a stub receipt book to be used by him in receipting for fines or money from delinquent hands or other sources; also a stub order book to be used by him in giving all orders on the County Judge or Chairman, to be paid out of the county road tax; also a receipt book to be used by him when money collected by him is paid out for any purpose, all of which stubs and receipts shall be returned with his annual report to the Judge or Chairman of the County Court as exhibits to said report.

Road law furnished.

SEC. 34. *Be it further enacted,* That it shall be the duty of the County Court to furnish each highway commissioner copies of this Act for the use of himself and overseers, and the Secretary of State shall cause to be published ten thousand copies of this Act for distribution according to population of the several counties, not including the population of incorporated cities and towns, and the same shall be provided for in the general appropriation bill.

Costs of suits

SEC. 35. *Be it further enacted,* That in any suit for the enforcement of the provisions of this Act brought in good faith by the commissioner, if such suit should fail, the cost of the same shall be paid out of the road fund of each district upon a certified statement of the magistrate or judge trying the case, to be approved by the commissioner, and paid upon the warrant of the Judge or Chairman of the court.

Day's work.

SEC. 36. *Be it further enacted,* That a day's work within the meaning of this Act shall be nine hours actual service.

Prisoners.

SEC. 37. *Be it further enacted,* That all persons confined in county jails or work-houses, either under sentence of court for crimes or imprisoned for non-payment of fines and costs, shall be available to the commissioner for the purpose of working them on the public highways. In counties having separate work-houses, and where any county has declared its jail to be a work-house, the prisoners may be obtained by said commissioner from the board of commissioners and the superintendent of the work-house, upon such terms as may be agreed upon between them. In counties having no separate work-houses, and whose jails have not been declared work-houses, the prisoners may be obtained upon application to the Quarterly Court, which may give an order for such of said prisoners confined in jail as may be deemed proper. The sheriff or jailer having such prisoners in custody shall deliver them up on the presentation of the order of the court to the commissioner or his overseer; said commissioner and overseer shall be responsible for their safe-keeping; and the prisoners so employed shall be, while in the hands of the commissioner and overseer, governed, controlled and cared for by them, as provided in the law governing superintendents of work-houses, and the prisoner shall receive credits for work done as provided in said law. If any prisoner escape from the commissioner or overseer by their negligence they shall be responsible for his or her recapture, and shall offer and pay a reasonable reward for the recapture of said prisoner. If, however, the escape happens on account of the connivance or willful neglect of the commissioner or overseer he shall be guilty of a misdemeanor and liable to fine as in other misdemeanors. All such prisoners, while performing road work, shall be worked separate and apart from the road hands.

ighway tax.

SEC. 38. *Be it further enacted,* That the County Court in each county in this State shall, at the first quarterly session after the passage of this Act, and at each January session thereafter, assess the number of days to be worked by the road hands—not less than four nor more than eight—upon the highways, and assess the highway tax, and said highway tax shall not be less than five nor more than twenty-five cents on each hundred dollars worth of property as shown by the assessment made by the county assessor, and on privileges not more than one-fourth of the assessment for county purposes. All taxes assessed and collected, as provided in this Act, shall be expended in the road districts in which such assessment is made; *provided*, that the railroad tax of any county shall be distributed among the several districts of the county by the County Court, as said court may, from time to time, elect. And each County Court shall have the authority and power to provide that a part of the property tax, not to exceed two-thirds of the amount assessed against any person, may be paid by labor, for which labor the commissioner shall not pay a higher rate than is customary for like labor in the vicinity, the commissioner giving to the person electing so to pay such portion of his tax by labor a receipt or certificate of the amount of credit due for the same, which shall be received by the County Trustee in part payment of the road tax, and who shall preserve the voucher and the County Trustee shall have such voucher on hand to entitle him to a credit on his settlements.

Labor.

SEC. 39. *Be it further enacted*, That the clerks of the County Courts shall furnish to the commissioners, by the first Monday in July, a correct and itemized list of all the tax payers, with the amount of highway tax due by each that may be paid in labor, and for such list the County Courts shall pay a reasonable compensation.

List of tax-payers.

SEC. 40. *Be it further enacted*, That all male inhabitants over eighteen and under forty-five years of age, except such as are permanently disabled from performing ordinary labor, and are released by the commissioner upon the presentation of a release from the County Court, shall work on the road each year so many days as the County Courts of the several counties of the State may require within the limitation of this Act. Any hand may be exempted from work on the road by furnishing an able-bodied substitute, or by paying seventy-five cents per day to the commissioner. When, by permission of the commissioner, wagons and teams are furnished to work out labor tax, a day's work with a two-horse plow and team for same, or two-horse wagon and team, shall exempt one hand from two day's work; one horse and plow shall exempt hand from one day's work. When teams and wagons, etc., are furnished that are not described by the above clause, their value in com-

Road hands.

Teams and plows.

muting for tax and labor shall be fixed by the commissioner.

Collections.

SEC. 41. *Be it further enacted,* That all assessments for highway purposes shall be collected as other revenue for county by the County Trustee, who shall be allowed a commission of two and a half per cent. for collecting and paying out the same, but shall not be paid a per cent. on tax worked out.

Disbursements

SEC. 42. *Be it further enacted,* That all of said highway tax shall remain in the hands of the County Trustee, and shall be paid out only upon the warrant of the Judge or Chairman of the County Court, issued upon the written order of the commissioner, which shall state specifically for what purpose the same is to be paid.

Road tax settlements.

SEC. 43. *Be it further enacted,* That the County Trustees shall make a settlement with the Judge or Chairman of the County Court for the highway tax, and shall account for the same in the same manner that he is required to make for county taxes.

Acts repealed.

SEC. 44. *Be it further enacted,* That all Acts passed heretofore providing for the working and laying out of public roads, except such as are incorporated in this Act, as well as laws in conflict with this Act, be and the same are hereby repealed, it being the intention of this Act to compile all laws on the subject of working and laying out of public roads, and to include them in this Act; *provided,* that nothing in this Act shall be taken or construed to in any way alter, impair or abridge the power the County Court now has to build, repair and maintain bridges and turnpikes, and pay for same out of general county funds, nor shall this Act in any way abridge the power of the County Court, through commissioners and a superintendent of the county jail or work-house, to work certain convicts upon any public highway in this State, with the aid and superintendence of the local commissioner and overseer, or independently of them.

Contract roads.

SEC. 45. *Be it further enacted,* That the Quarterly County Court of any county be empowered and authorized to let any particular road or road section out to contract, in which event the same laws now applicable to overseers of public roads shall apply to such contractors in working the hands assigned to such roads, and said hands so assigned to work their time on such roads shall bear the same relation to such contractor as they would to an overseer. In case the Quarterly County Court of any county shall elect to have any road or roads built or worked by special contract, said court shall specify and set out on its minutes, or by written contract with the contractor, the nature and character of the work to be done, and extent of the same, and the County Judge or Chairman of the County Court and the commissioners of such road district shall constitute a board for letting such work to contract. The said contractor shall execute a bond payable to said board for the use of the county for the faithful discharge of his contract; and taxes due for road purposes from such road district, and the labor performed by the hands assigned to such road and contractor shall be used in full or part payment for the work done under such special contract, and the remainder, if any due the said contractor, shall be paid out of the county treasury by direction of the Quarterly County Court of said county after being first ratified by the board in charge of such work.

SEC. 46. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 2.

AN ACT to regulate the business of Building and Loan Associations.

Deposit with State Treasurer

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That every building and loan association heretofore or hereafter incorporated under the laws of this State, which loans its funds outside of the county in which it has its domicile, shall deposit and keep on deposit with the Treasurer of the State, or with a trust company legally incorporated and duly organized under the laws of this State, to be selected by the Board of Directors of such association, in trust for all its members and creditors, mortgages (or other securities), received by it in the usual course of its business, amounting to not less than twenty-five thousand ($25,000) dollars nor more than fifty thousand ($50,000) dollars, at the discretion of the State Treasurer. When such mortagages (or other securities) are deposited with the said trust company, such company shall certify to the Treasurer of the State that the said securities have been and are deposited with it under this Act, and the same shall not be surrendered to or returned to the said building and loan association without the authority or sanction of the said Treasurer of the State; *provided*, that every such corporation heretofore organized, whose mortgages or other securities so deposited do not amount to twenty-five thousand ($25,000) dollars, shall, within six months from the passage of this Act, deposit with the Treasurer of the State, or trust company, such additional securities, as with the securities so deposited, shall equal in value the sum of twenty-five thousand ($25,000) dollars; and every such corporation hereafter organized, before commencing to do business, shall deposit with said Treasurer of the State, or trust company in trust, as aforesaid, securities of the value of twenty-five thousand ($25,000) dollars. The securities mentioned in this proviso shall consist of bonds or Treasury notes of the United States, national or State bank stocks or bonds of this State, or any other State of the United States, or of any solvent city, county or town of this State, or of any State of the United States having legal authority to issue the same, or first mortgage on real estate, or other legal securities aggregating in value twenty-five thousand ($25,000) dollars, and such securities may be withdrawn from time to time when mortgage securities of corresponding value shall be deposited in lieu and place thereof as provided in this Act, or when other securities of like character and value are substituted thereof, and it shall be the duty of the Treasurer of the State to examine the affairs of the said association from time to time to ascertain whether said associations have deposited all their securities and otherwise complied with the requirements of this Act.

Valid securities.

SEC. 2. *Be it further enacted*, That all interest and dividends and premiums which may accrue on securities held by the Treasurer of the State, or such trust company as provided herein, and all dues or monthly payments which may become payable on stocks pledged as security for loans, the mortgages for which are so deposited in accordance with the provisions of this Act, may be collected and retained by the association depositing such securities as mortgages, so long as such associa-

Interest on securities pledged.

tion remains solvent and faithfully performs all contracts with its members, and when any mortgage shall have been fully paid to said corporation, the same shall be surrendered by said Treasurer of the State or under his order, upon filing with him a certificate of the Register of Deeds of the county where the real estate is situated, to the effect that the satisfaction of such mortgage has been filed of record. Any mortgage upon which default in the payment due has been made, shall be surrendered to, or returned to, the said building and loan association as aforesaid, for the purpose of collection or foreclosure. Bonds or stocks deposited with said Treasurer of the State, or trust company as aforesaid shall, if deemed advisable by the association, be surrendered to the association depositing the same, for the purpose of being converted into cash and loaned on real estate. Securities needed for deposit in any other State, territory or nation shall, subject to the provisions of section 1 of this Act, be surrendered upon request to the association depositing the same for the purpose of making such deposit. No securities required to be withdrawn by said association from the said Treasurer of the State or trust company, shall be withdrawn except upon filing with the said Treasurer of the State, before the same are surrendered, an affidavit of the President and Secretary of the association, stating the reason for desiring to withdraw such securities, and such securities shall not be used for any purpose other than that stated in said affidavit.

Mortgages withdrawn.

SEC. 3. *Be it further enacted*, That no building and loan association organized under the laws of any other State, territory or foreign government, shall do business in this State unless said association shall (deposit and continually thereafter) keep deposited in trust for all of its members and creditors, with some responsible trust company, or with some State officer of this or some other State of the United States, mortgages (or other securities) received by it in the usual course of its business, amounting to not less than twenty-five thousand ($25,000) dollars nor more than fifty thousand ($50,000) dollars, at the discretion of the State Treasurer. All of the personal obligations of its members taken in the ordinary course of business of such association and secured on first mortgage on real estate, all dividends and interest which may accrue on securities held in trust, as aforesaid, by the trust company or the State, as provided herein, and all dues or monthly payments which may become payable on stock pledged as security for loans,

Foreign Associations.

Dues, etc.

the mortgages for which are on deposit in accordance with the provisions of this Act, may be collected and retained by the association depositing such securities or mortgages, so long as such association remains solvent, and faithfully performs all contracts with its members. Any securities on deposit, as provided herein, may from time to time be withdrawn, if others of equal value are substituted therefor. Every building and loan association organized under the laws of any State, territory or foreign government shall, before commencing to do business in this State—

Copy of charter

First. File with the Treasurer of this State a duly authenticated copy of its charter or articles of incorporation.

Certificate of deposit.

Second. File with the Treasurer of this State the certificate of the proper State officer of another State, or the president and treasurer of some responsible trust company, certifying that it has on deposit securites, not less than $25,000, taken in the regular course of business, as mentioned in this Act, in trust for all the members and creditors of such building and loan association.

Legal process.

Third. File with the State Treasurer a duly authenticated copy of a resolution adopted by the board of directors of such association, stipulating and agreeing, that if any legal process affecting such association be served on said State Treasurer, and a copy thereof be mailed, postage prepaid, by the party procuring the issuing of the same or his attorney to said association, addressed to its home office, then such service and mailing of such process shall have the same effect as personal service on said association of this State.

Fee.

Fourth. Pay the State Treasurer twenty-five ($25) dollars as fees for filing the papers mentioned in this section.

Duplicate process.

SEC. 4. *Be it further enacted,* That when process against or affecting any foreign building and loan assoçiation is served on the State Treasurer, the same shall be by duplicate copies, one of which shall be filed in the office of said State Treasurer, and the other by him immediately mailed, postage prepaid, to the home office of said association. The word process in this Act shall include any writ, summons, complaint, declaration or order whereby an action, suit or proceeding shall be commenced, or which shall be issued in or upon any action, suit or proceeding at law or in equity authorized by law in this State.

Reciprocity.

Sec. 5. *Be it further enacted,* That when by the laws of any other State, territory or nation, any taxes, fines, penalties, licenses, fees, deposits of money, securities or other obligations or prohibitions are imposed on building and loan associations of this State doing business in such other State, territory or nation, or upon their agents therein so long as such laws continue in force, the same obligations or prohibitions of whatever kind, shall be imposed upon all building and loan associations of such other State, territory or nation, doing business in this State and upon their agents here.

Definition.

Sec. 6. *Be it further enacted,* That name of "Building and Loan Association," as used in this Act, shall include all corporations, societies, or organizations or associations doing a savings and loan investment business on the building society plan, viz.: Loaning its funds to its members, whether issuing certificates of stock which mature at a fixed time in advance or not.

Sale of stock prohibited.

Sec. 7. *Be it further enacted,* No officer, director or agent of any foreign building and loan association shall, in this State, solicit subscriptions to the stock of such association, or sell, or knowingly cause to be sold or issued, to a resident of this State any stock of an association while said association has not on deposit securities as required by Section 3 of this Act, or before said association has complied with all the provisions of this Act. License to agents of such companies or associations shall be issued by the Treasurer, annually, on the first of January, and said Treasurer is authorized to collect from each agent for said license $2 fee. Any violation hereof shall be deemed a misdemeanor, and upon conviction shall be punished by a fine of not less than ten dollars or more than fifty dollars.

Agents' license

Misdemeanor to sell stock.

Sec. 8. *Be it further enacted,* No officer, director or agent of any building and loan association incorporated under the laws of this State shall sell, issue, or knowingly cause to be sold or issued to any person not a resident of the State, in which the home office of said association is located, any stock of said association, while said association does not have on deposit securities as required by Section 1 of this Act. Any violation hereof shall be deemed a misdemeanor, and, upon conviction, the offender shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment not less than ten days or more than six months, or by both, such fine and imprisonment, in the discretion of the court.

SEC. 9. *Be it further enacted,* That on or before the first day of September in each year every building and loan association doing business in this State, and governed by this Act, shall deposit with the Treasurer of the State a report of its affairs and operations for the year ending on the 30th day of June immediately preceding; such report shall be verified under oath by the President and Secrerary, or by three directors of the association, and shall contain answers to the following questions:

Annual reports

First. The date when the association was incorporated and the par value of each share of stock.

Second. The number of shares sold during the year.

Third. The number of shares cancelled and withdrawn during the year.

Fourth. Number of shares in force at the end of the year.

Fifth. A statement of the receipts and disbursements of the loan fund during the year.

Sixth. A statement of the assets and liabilities at the end of the year.

Such association shall pay to the Treasurer of the State $50 on filing such report. If any such association shall willfully fail to furnish to the Treasurer of the State any report required by this Act, at the time so required, it shall, in the discretion of the State Treasurer, forfeit the sum of twenty-five dollars ($25) per day for every day such report shall be delayed or withheld, and the Treasurer of the State may maintain an action in his name of office to recover such penalty, and the same shall be paid into the Treasury of the State for the benefit of the State.

Forfeit.

SEC. 10. *Be it further enacted,* That every association depositing securities with the Treasurer of the State, as provided for in this Act, shall annually pay to said Treasurer of State a fee of fifty dollars ($50).

Annual Fee.

SEC. 11. *Be it further enacted,* That it shall be the duty of the State Treasurer, once in each year, at such time as he may select, to examine the books and verify the statement of each association governed by this Act, doing business under the laws of this State.

Supervision.

SEC. 12. *Be it further enacted,* That all of the officers of any building and loan association governed by this Act, and doing business in this State, who handle any of the funds of such association, shall give sufficient bond for the faithful performance of their duties as the board of directors may require, and no such officer shall be deemed qualified to enter upon the duties of his office

Officers shall give bonds.

until his bond is approved by the board of directors, with whom such bonds shall be filed; provided that the State Treasurer may require of any association, at any time, such increase of said bond or additional sureties thereto, or such increase of said insurance as he may deem necessary for the protection of members. The penalty for a failure of any association to file and maintain the bonds or policy, as required by the provisions of this section, shall be a fine of one hundred dollars ($100) for each day such association transacts business after such bond has become due under the provisions of this Act, said bond or policy shall be held in trust for the benefit and protection of the members of such association, and shall be enforceable by any member whenever cause of action shall accrue thereon.

Penalties.

SEC. 13. *Be it further enacted*, That this Act shall take effect and be in force after its passage, provided that any association heretofore incorporated under the laws of this State and subject to section 1 of this Act, not having at the time this Act takes effect securities to the amount of twenty-five thousand ($25,000) dollars, may have until October 1, 1891, in which to make the deposit of said sum, as provided in section 1 of this Act. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 3.

AN ACT to levy and collect taxes for the "Taxing District" of Shelby County, Tennessee, for the years 1891 and 1892, and to apportion the taxes levied and collected to different departments of the said "Taxing District."

Rate of tax levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the annual tax for the years 1891 and 1892 is hereby levied on all taxable property, real and personal, including merchants' capital, capital invested, corporate stock, and capital stock of corporations within the territorial limits of the Taxing Districts, as follows: ($1.75) One dollar and seventy-five cents on the one hundred dollars of valuation in the eight original wards, and ($$1.24\frac{36}{100}$) one dollar and twenty-four and thirty-sixth hundredths dollars in the Ninth and Tenth Wards as they now exist.

Appropriation of proceeds.

SEC. 2. *Be it further enacted,* That of the proceeds of the above tax levy there shall be appropriated for each of said years the several amounts, as follows:

To the Police Department not more than....	$ 57,000 00
To the Fire Department not more than......	69,000 00
To the Lighting Department not more than	25,000 00
To the School Department not more than...	50,000 00
To the Board of Health, Sanitation and Water Department.........................	65,000 00
Hospital..	13,000 00
Sinking Fund............................	35,000 00
Interest	193,000 00

Remainder, how applied.

SEC. 3. *Be it further enacted,* That the remainder of the foregoing tax levy shall be appropriated each year, together with any and all surplus which may accrue to or arise from the sums appropriated in section 2, not needed for the maintenance of the aforesaid departments or purposes as specified in section 2, to the Street, Bridge and Sewer Departments.

Former laws in force.

SEC. 4. *Be it further enacted,* That all laws and parts of laws now in force, or that may hereafter be passed for the collection of other State taxes, shall be and are hereby declared to be in force for the collection of these taxes, and section 2 of the Act commonly called the "Sewer Act," passed Dec. 23, 1879, at the Extraordinary

Session of the Forty-First General Assembly of the State be and the same is hereby declared to be in full force so far as applicable to the taxes here levied.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 30, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 4.

AN ACT to establish a Chancery Court and a Law Court at Johnson City, in the County of Washington, and to fix the time for holding them.

Chancery District.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Ninth Civil District of Washington County shall constitute a Chancery District, and the court shall be held at the town of Johnson City, by the Chancellor of the First Chancery Division of this State, on the first Mondays of June and December of each and every year.

Clerk and Master.

SEC. 2. *Be it further enacted*, That the Clerk and Master of the Chancery Court of Washington County shall be the Clerk and Master of said Chancery Court at Johnson City, and shall by himself or deputy keep an office in the town of Johnson City for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all powers, and receive all fees and emoluments that are common to all Clerk and Masters of the Chancery Courts of this State.

Sheriff—duties and fees.

SEC. 3. *Be it further enacted*, That the Sheriff of said Washington County and his deputies shall serve as officers of said court, and shall obey all orders, and execute all process as now required by law to do, by the orders of said Chancery Court of said Washington County, and shall attend the sittings of said court, and shall by himself or deputy perform all the duties pertaining to said Chancery Court, and have all the fees and emoluments that are now allowed by law for the various sheriffs of this State.

Fines and forfeitures.

SEC. 4. *Be it further enacted,* That the fines and forfeitures arising or growing out of any business in said court shall be disposed of as the fines and forfeitures which are now collected in the Chancery Courts of this State.

Transfer of cases.

SEC. 5. *Be it further enacted,* That any suits now pending or hereafter brought in the Chancery Court at Jonesboro may, by consent of parties, be transferred to the Chancery Court at Johnson City. That upon application of the parties for removal, as aforesaid, the Clerk and Master at Jonesboro shall transmit all papers in the case, together with a copy of all orders and decrees, to be filed in the Chancery Court at Johnson City, and also a bill of costs accrued in the Chancery Court at Jonesboro.

Who may bring suits.

SEC. 6. *Be it further enacted,* That the citizens of the Eighth, Tenth and Eleventh Civil Districts of said Washington County may bring their suits in equity in said Chancery Courts at Johnson City, against any citizens residing within said Civil Districts, but no citizen residing without said Eighth, Tenth and Eleventh Civil Districts shall be sued in said courts, unless the subject-matter of said suit is situated in said Civil Districts.

Who may be sued.

SEC. 7. *Be it further enacted,* That no citizens of the said Ninth Civil District of said county shall be sued in the Chancery Court at Jonesboro for said county, unless it be a local action of which said last mentioned court has exclusive jurisdiction by reason of the location of the property about which the action may be brought, or the action be a transitory one.

Counterpart of writs.

SEC. 8. *Be it further enacted,* That counterparts of writs may issue from said court, against joint defendants residing or living beyond the limits of said Ninth Civil District, in all cases where the court has the legal or rightful jurisdiction of the subject-matter of the legislation.

Court-house—who to erect.

SEC. 9. *Be it further enacted,* That the expenses of erecting or providing a court-house and all necessary offices for said court shall be paid by the citizens of the town of Johnson City, and none of the citizens of Washington County, residing out of the limits of the town of Johnson City, shall ever be taxed to pay any portion of the expense of erecting or providing any of said public buildings at Johnson City.

SEC. 10. *Be it further enacted*, That there shall be held in Johnson City, in the County of Washington, a law court for the Ninth Civil District of said county, to be called the Law Court of Johnson City, and to constitute one of the courts of the First Judicial Circuit, and to be held by the judge thereof, common law jurisdiction, original and appellate, over all causes of a civil nature arising within said Ninth Civil District.

Law Court at Johnson City.

Jurisdiction.

SEC. 11. *Be it further enacted*, That the citizens of the Eighth, Tenth and Eleventh Districts of said county may bring their actions in said Law Court against citizens of the said Eighth, Ninth, Tenth and Eleventh Districts of said county, if they so desire, and said Law Court shall have and exercise jurisdiction over the same, as if all the parties resided in the said Ninth Civil District, and all civil causes heard and determined before any justice or justices of the peace of said Eighth, Ninth, Tenth and Eleventh Civil Districts may be appealed or brought up by writs of *certiorari* to said Law Court; provided the plaintiff or defendant resides in said Eighth, Ninth, Tenth and Eleventh Districts, and either of them demand such appeal or writs of *certiorari*, said Law Court shall have and exercise jurisdiction over all such cases, as if the same had been heard and determined by a justice or justices of said Ninth Civil District, and between citizens of said Ninth Civil District.

Who may bring actions.

SEC. 12. *Be it further enacted*, That the citizens of said County of Washington, residing outside of the said Eighth, Ninth, Tenth and Eleventh Districts, shall not be liable to be sued in said Law Court of Johnson City, unless in real actions, of which said Law Court has exclusive jurisdiction; but any defendant residing outside of said Civil Districts may waive his rights and have his suit returned to said Law Court, notwithstanding the process issued from and is returnable to the Circuit Court of Washington County, in any civil action, unless the cause of action is of such a local nature as to give the Circuit Court of Washington County peculiar or exclusive jurisdiction in all cases, as provided for in this section; where the right is so waived, the said Law Court shall have and exercise jurisdiction over them, as if the same had been brought by citizens of the Ninth Civil District of Washington County against citizens of the same districts.

Parties to suits.

SEC. 13. *Be it further enacted*, That said Law Court of

Judge. Johnson City shall be held by the Judge of the First Judicial Circuit on the third Mondays of April, August and December of each and every year, and said judge shall have and exercise all powers and perform all the duties provided by law for the Circuit Judges of this State, and the practice in said Law Court shall be the same as in the Circuit Courts of this State, and whenever said Law Court has jurisdiction over any cause of action counterpart of any original writs may issue from said courts, for joint-defendants residing outside of said Eighth, Ninth, Tenth and Eleventh Districts.

Practice.

SEC. 14. *Be it further enacted*, That the Sheriff of said Washington County shall by himself or deputy attend to sittings of said court, and aid in holding the same as now provided by law for sheriffs of this State, requiring them to be present and discharge certain duties, and said sheriff, himself or his deputy shall reside in said Ninth Civil District, and said sheriff or his deputy shall perform all the duties pertaining to said Law Court, and have all the fees and emoluments that are now allowed by law to sheriffs of this State.

Sheriff.

Fees.

SEC. 15. *Be it further enacted*, That the Clerk of the Circuit Court of Washington County shall be the clerk of said Law Court of Johnson City, and shall himself or by deputy keep an office in the town of Johnson City for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all powers, and receive all fees and emoluments that are common to all clerks of the Circuit Courts of this State.

Clerk.

SEC. 16. *Be it further enacted*, That the justices of the peace of said Ninth Civil District shall, on the last Saturdays of March, July and November of each and every year, designate twelve good citizens, freeholders or house-holders, residing in said Eighth, Ninth, Tenth and Eleventh Civil Districts, to serve as jurors to said Law Court for the term immediately ensuing, after their designation aforesaid. Said justices of the peace shall hand a list containing said jurors to the clerk of said Law Court, who shall immediately issue a writ of *venire facias* commanding the sheriff of Washington County to summon said jurors named in said writ to attend as jurors; if said justices fail to designate said jurors the judge shall, at the opening of said court, at each term when said failure occurs, appoint the jurors for said term out of any citizens who are qualified, regardless of whether they live outside of said Ninth Civil District or not;

Jurors.

How summoned.

Junge may appoint.

that the jurors to said Law Court shall have the same pay as the jurors who attend the Circuit Courts of this State, and be paid as other jurors of Washington County.

Court-house.

SEC. 17. *Be it further enacted*, That the citizens of Johnson City shall pay all the expenses incurred or to be incurred in erecting or providing suitable buildings for a court-house and necessary public offices for said Law Court, and none of the other citizens of the said Washington County, except the citizens of the said town of Johnson City, shall ever be taxed for said purpose.

Transfer cases.

SEC. 18. *Be it further enacted*, That any suit or suits of a civil nature, now pending in the Circuit Court of Washington County, between citizens of the said Eighth, Ninth, Tenth and Eleventh Civil Districts, may, by consent of parties, or their attorneys, be transferred to the Law Court of Johnson City, and said court shall have and exercise the same jurisdiction over them as if they had been originally brought in said Law Court. That all fines and forfeitures arising from or growing out of said Law Court, shall be disposed of as the fines and forfeitures which are now imposed by the Circuit Court of Washington County.

That this Act take effect from and after its passage, the public welfare requiring it.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 5.

AN ACT to change the time of holding the Circuit Courts for Anderson and Campbell Counties, in the Second Judicial Circuit, and to amend section 4, chapter 20, of the Acts of the Extraordinary Session of the General Assembly of the State of Tennessee, passed June 11, 1885, and approved June 12, 1885, and entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice, and to fix the time of holding terms of said Circuit, Chancery and other courts."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 4 of chapter 20 of the Acts of the General Assembly of the State of Tennessee, passed at the Extraordinary Session June 11, 1885, and approved June 12, 1885, be and the same is hereby amended so as to read as follows: "The Circuit Courts shall be held in and for the county of Anderson on Mondays next preceding the first Mondays in February, June, and October; and for the county of Campbell on the second Mondays in February, June, and October of each year."

Act amended.

SEC. 2. *Be it further enacted,* That hereafter all bonds shall be taken and process be made returnable to said courts at the times fixed in this Act for holding the same; and all bonds and recognizances taken at or after the last term of said courts, or held under the existing laws of this State, and all process issued or bonds taken after that time to wit: the last term of said courts shall be made returnable to the next first term of said courts to be held under the provisions of this Act; and the same shall be held to be valid and binding in law.

Bonds and process binding.

SEC. 3. *Be it further enacted,* That all Acts or parts of Acts of the General Assembly of the State of Tennessee, in conflict with the provisions of this Act, be and the same are hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after passage, the public welfare requiring it.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 6.

AN ACT to amend an Act approved March 13, 1890, being chapter 24 of the Acts of the Extra Session of the General Assembly for the year 1890, so that the provisions of said Act shall apply to elections held for the issuance of improvement bonds in all counties and cities where said Act of March 13, 1890, is now or may hereafter become operative in elections such as are provided for in said Act.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 24 of the Acts of the Extra Session of the General Assembly for the year 1890, being an Act approved March 13, 1890, and entitled "An Act to provide more stringent regulations for securing the purity of elections in this State, and applicable to counties having a population ot 70,000 inhabitants and over, computed by the Federal Census of 1880, or which may hereafter have that number or over that number of inhabitants, computed by any subsequent Federal Census, and to cities having a population of 9,000 inhabitants or over that number of inhabitants, computed by any subsequent Federal Census" be and the same hereby is so amended that said Act shall apply to and control all elections for the issuance of improvement bonds in all counties and cities to which said Act now applies under the Federal Census of 1880, or may hereafter apply under any subsequent Federal Census, and that all elections held hereafter for the issuance of improvement bonds shall be held under and pursuant to the regulations, provisions and requirements of said Act. **Act amended.**

SEC. 2. *Be it further enacted,* That all Acts and parts of Acts in conflict with this Act be and they are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 31, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 7.

AN ACT to amend an Act approved March 13, 1890, being chapter 25 of the Acts of the Extra Session of the General Assembly for the year 1890, so that the provisions of said Act shall apply to elections held for the issuance of improvement bonds in all counties and cities where said Act of March 13, 1890, is now or may hereafter become operative, in elections such as are provided for in said Act

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That chapter 25 of the Acts of the Extra Session of the General Assembly for the year 1890, being an Act approved March 13, 1890, and entitled "An Act to provide for the registration of voters in this State in counties having a population of 70,000 inhabitants or over that number, computed by the Federal Census of 1880, or which may hereafter have that number or over, computed by any subsequent Federal Census, and to towns, cities, and civil districts having a population of 2,500 inhabitants or over, computed by the Federal Census of 1880, or which may hereafter have that number or over that number by any subsequent Federal Census," be and the same hereby is so amended that said Act shall apply to and control all elections for the issuance of improvement bonds in all counties and cities to which said Act now applies under the Federal Census of 1880, or may hereafter apply under any subsequent Federal Census, and that all elections held hereafter for the issuance of improvement bonds in said counties, towns, cities and civil districts shall be held under and pursuant to the regulations, provisions and requirements of said Act. Act amended.

SEC. 2. *Be it further enacted,* That all Acts and parts of Acts in conflict with this Act be and they are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 31, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 8.

AN ACT to amend section 6, chapter 171, of the Acts of 1889, making it unlawful under certain conditions to kill, net, trap or capture quail or partridges, passed March 8, 1889, and approved April 2, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State af Tennessee,* That section 6 of chapter 171 of the Acts of 1889 be and the same is so amended as to remove the counties of Sevier and Cocke from the exception of the other provisions of said Act, and that they be included in sections 2, 3, 4 and 5 of said Act, with all the prohibitions, limitations and penalties of the same, and that hereafter it shall be unlawful for any person or persons to kill, net, trap, or capture quail or partridges in said counties of Cocke or Sevier except as provided in section 2 of said Act, and any one violating this Act shall be punished as provided in section 3 of said Act of 1889.

Act of 1889 amended.

SEC. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 3, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 9.

AN ACT to allow Electric Street Railways to use rails other than tram rails in the construction of their tracks.

Electric railways may use any suitable rail.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all electric street railways heretofore built or hereafter to be built in this State may, upon obtaining the consent of the city authorities as to the character and weight of the rail or rails to be used upon its streets for the operation of an electric railway, use any type or pattern of rail suitable for the operation of an electric railway, provided the same is so laid as not to obstruct or interfere with the passage of vehicles when crossing the tracks of said companies when laid on a street or public highway; *Provided further,* That no other different rail shall be used in the suburbs or territory adjacent to any town or city other than that which is used in said city; *and provided, also,* that no rail shall be used in any city than such as may be directed and permitted by the municipal authorities.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 13, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 10.

AN ACT to authorize the citizens and corporations of Cocke County to build mill dams and dams for other machinery and manufacturing establishments across Big Pigeon River, in Cocke County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for the citizens and corporations of Cocke County to build mill dams and dams for any other machinery or manufacturing establishments across Big Pigeon River, in Cocke County, Tennessee, at any point above the War Ford near and opposite the residence of Mrs. Catharine McSween; *provided* that such persons or corporations wishing to build such dams as aforesaid shall be the owners of both banks of the river, or shall obtain the written consent of the owners of the banks of said river.

Lawful to build dams across big Pig Pigeons.

SEC. 2. *Be it further enacted,* That all laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

THOMAS R. MYERS,
Speaker of the House of Representatives.
W. C. DISMUKES,
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 11.

AN ACT to amend Chapter 20, Section 5, Acts of Extra Session of 1885, and to change the time of holding the Chancery Courts of Cannon County, and to provide for holding the same.

Terms.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 20, Section 5, Acts of the Extra Session of 1885, be so amended as to require the Chancery Courts of Cannon County to be hereafter held on the second Mondays in March and September of each year, and not on the fourth Mondays in April and October of each year.

Process.

SEC. 2. *Be it further enacted,* That all process issued, bonds taken returnable to the terms of said Court, as they now exist by law, shall be deemed and held valid and binding, and all process hereafter issued or bonds hereafter taken shall be made returnable to the times fixed in the first section of this Act.

SEC. 3. *Be it further enacted,* That all laws or parts of laws inconsistent with or contrary to the provisions of this Act be and the same are hereby repealed.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 12.

AN ACT to authorize Dyer County to issue bonds to pay off outstanding indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Dyer, through its Quarterly County Court, be and the same is hereby authorized and empowered to issue coupon bonds of the county for the purpose of paying off the outstanding indebtedness of said county, not to exceed the sum of twenty-five thousand dollars, bearing interest at the rate of six per cent. per annum, said interest payable annually, the bonds herein provided for to be payable in ten years from the date thereof, but may be redeemed at any time after three years by order of said Quarterly Court.

Bonds.

SEC. 2. *Be it further enacted,* That each of said bonds shall be signed by the Chairman of the County Court and countersigned by the County Court Clerk, with the official seal affixed to the same, and may be in the denomination of twenty-five, fifty, and one hundred dollars, and each denomination shall be numbered in the order of issuance, beginning with one.

Signatures and seal.

SEC. 3. *Be it further enacted,* That each of said bonds shall have attached to it ten coupons, showing the amount of each annual installment of interest on said bonds and when the same shall fall due, which coupons shall be signed in the same manner as the bonds, but without the official seal of the clerk, and showing on their face the number and denomination of the bond to which they are attached. The coupons herein provided for shall become due annually, and when due shall be receivable in payment of any county taxes except the sinking fund tax hereinafter provided for, and when so received or paid off by the Trustee or Tax Collector, shall be by him canceled by stamping on or writing on the face thereof the date received or paid, and shall be held by him as his vouchers for the payment on his settlement with the Chairman of the County Court, who shall preserve said coupons as a part of the records of his office.

Coupons.

SEC. 4. *Be it further enacted,* That it shall be the duty of the Quarterly County Court of said county annually

Tax levy.

to levy a tax on the taxable property of said county for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of the bonds herein authorized when they fall due or are called in or redeemed as hereinafter provided, and to enable the County Court to know what amount of taxes to levy for these purposes, the Chairman of the County Court shall keep, in a well-bound book, a record of the number and denomination of all bonds issued, to whom issued, and also of all bonds redeemed or paid.

Record.

Trustee.

SEC. 5. *Be it further enacted,* That the Trustee or Tax Collector shall collect and account for the tax herein authorized, the same as he is required by law to collect and account for other taxes, and shall receive the same compensation as for collecting other county taxes, and the County Court may, when it thinks proper, require such Trustee or Tax Collector to give an additional bond for the performance of his duties in collecting and accounting for said funds.

Redemption.

SEC. 6. *Be it further enacted,* That before the expiration of three years from the issuance of said bonds the Trustee or Tax Collector may redeem any of said bonds presented for redemption out of any money that may be in his hands derived from said sinking fund tax, or may receive said bonds in payment of said sinking fund tax, and after the expiration of said three years it shall be the duty of the Trustee to call for such an amount of said bonds as the sinking fund in his hands will redeem, calling for them by number, commencing with the lowest number, and redeeming them in the order in which they were issued, of such as are outstanding, and for this purpose he shall have access to the Chairman's books in which said bonds are numbered.

Bonds called.

SEC. 7. *Be it further enacted,* That the call, as provided in section 6 of this Act, shall be made on order of the Chairman of the County Court advertising the same in any newspaper published in said county for thirty days, setting out the number and denomination of said bonds so called for, and such bonds not being presented for payment at the expiration of the said thirty days, the interest thereon shall cease from that date, and the coupons not due thereon shall not thereafter be received for taxes not paid, but shall become void, and should the bonds so called for be withheld, then shall the Trustee in like manner call for other bonds in regular order until the amount required be presented for redemption, and when any such bonds are redeemed as herein set out, the Trustee or Tax Collector shall, upon settlement with the Chairman of the County Court, have credit therefor on account of sinking fund tax; and after they have been entered upon the Chairman's books as aforesaid, said bonds shall be defaced by stamping or writing across the face of the same the date when they were accounted for on settlement, and the same filed away with the coupons thereon, and theretofore redeemed, as parts of the records of the Chairman's office.

SEC. 8. *Be it further enacted,* That said bonds shall not be sold at less than par value.

SEC. 9. *Be it further enacted,* That said bonds shall be non-taxable for county purposes when owned and held by citizens of Dyer County. Non-taxable.

SEC. 10. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C DISMUKES,
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 13.

AN ACT to amend an Act entitled "An Act to be entitled An Act foe the better Protection of Game in this State," so far as the samr applies to Monroe and McMinn Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of the Act passed March 8, 1889, and approved April 2, 1889, entitled "An Act to be entitled an Act for the better protection of game in this State," be so amended as to strike out all of said section, after the word "limited" in the ninth line of said section, in so far as the said Act applies to Monroe and McMinn Counties.

Passed February 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 14.

AN ACT to prevent interception of Telephone dispatches and to protect the property of Telephone Companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person to intercept without authority a dispatch transmitted by telephone, or to willfully destroy or injure any telephone pole, wire or fixture, the property of another in this State.

SEC. 2. *Be it further enacted,* That any person violating the provisions of the first section of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than fifty dollars, and may be imprisoned at the discretion of the court.

SEC 3. *Be it further enacted,* That the various Criminal and Circuit Judges of this State shall give this Act in charge to the grand jury.

Passed February 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Repreeentatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 15.

AN ACT to amend an Act entitled "An Act to provide for the enumeration of the male inhabitants of the State twenty-one years of age and upward," passed January 15, 1891, and approved January 22, 1891, including the compensation of the enumerators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 3 of an Act entitled "An Act to provide for the enumeration of the male inhabitants of the State twenty-one years of age and upward," passed January 15 and approved January 22, 1891, be so amended as to increase the pay and compensation of enumerators appointed under said Act to four cents for each inhabitant so enumerated instead of three cents, as is provided in same.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 16.

AN ACT to authorize West Knoxville to build sewers and bridges, condemn property and issue bonds for these purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act it shall be lawful for West Knoxville to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed the sum of seventy-five thousand ($75,000) dollars; *provided* said bonds or their proceeds shall be used exclusively for the purpose of constructing or securing a system of sewerage, and building bridges in said town, or to connect with other territory contiguous thereto.

Amount and purpose.

SEC. 2. *Be it further enacted,* That all bonds so issued shall be of such denominations, bear such interest not exceeding six per cent. per annum, and be due at such time not less than five nor more than thirty years from date, and be payable at such times and places as the Town Council may determine; *provided, further,* that all such bonds shall bear the same interest.

Bonds.

SEC. 3. *Be it further enacted,* That the coupons on the bonds thus provided for at maturity shall be receivable for all taxes and dues to the corporation, except the Sinking Fund Tax hereinafter provided for Sinking Fund Taxes levied for any other purpose, and the School Tax.

Coupons.

SEC. 4. *Be it further enacted,* That as soon as any bonds shall be issued under foregoing provisions, the corporation shall provide by ordinance for a sinking fund wherewith to retire the bonds, by levying a special tax, same to be designated "The Sinking Fund Tax," the tax run with the bonds and to be collected annually, and used exclusively for the purpose levied, and to be sufficient with its accumulations, as near as may be estimated, to meet or retire the principal indebtedness by its maturity.

Sinking Fund.

SEC. 5. *Be it further enacted,* That said corporation, through its council, before issuing the bonds, shall elect three persons, citizens, as Sinking Fund Commissioners, who shall be so first elected that one of said commissioners shall be elected for one year, one for two years, and

Commissioners.

one for three years, and every year thereafter one shall be elected to serve for three years, so as to keep the number of commissioners at three at all times; *provided*, that said corporation may, if it so elects, entrust the management of said sinking fund to its Sinking Fund Commissioners now existing as provided for under its charter and ordinances passed pursuant thereto.

SEC. 6. *Be it further enacted*, That said commissioners shall take an oath faithfully to discharge their duties, and give bond under such penalty and condition as may be provided by ordinance.

Redemption.

SEC. 7. *Be it further enacted*, That such commissioners shall receive sinking fund taxes and invest same from time to time in the bonds of the corporation, if any are redeemable, or other securities to be approved by council until bonds become redeemable, and settle their accounts as may be required by ordinance; *provided, however*, that when any bond is purchased or redeemed it shall be canceled or destroyed in presence of council, and record be kept of same.

Authority.

SEC. 8. *Be it further enacted*, That the said bonds shall not be issued unless so authorized by a majority of the vote cast by qualified voters voting at an election to be held by order of the Town Council, at any time and as many times as the Mayor and Alderman may deem necessary.

Power to take property.

SEC. 9. *Be it further enacted*, That for the purpose of using the same as bridge sites and for the construction and maintenance of sewers, or any essential part of a sewerage system, West Knoxville shall have power to take and appropriate grounds in the following manner:

1. When the owner of any land through or over which said system of sewerage is to be extended, or which may be necessary for bridge sites, requires damages for the same, the Town Council shall appoint freeholders, not exceeding seven in number, who, after first being sworn, shall examine the premises and assess the damages, and report the same to the Town Council, together with a description of the plat or grounds ought to be appropriated, and said Town Council shall cause said report and said description of the plat or ground to be spread upon minutes by the Recorder.

Damages.

2. On payment of said damages into the office of the Recorder, for the benefit of the owner of the land, the Town Council, after allowing five days time in which property owners may appeal to the Circuit Court of Knox County, is dissatisfied, may order the property

condemned and appropriated for the purpose named and order work to proceed. Any person aggrieved by such order may appeal to the next term of the Circuit Court for Knox County.

Sewerage Commission.

SEC. 10. *Be it further enacted,* That said corporation, before issuing bonds through its council, shall, by ordinance, provide for the creation and selection of a commission to be called "The Sewerage Commission," to be composed of not more than five nor less than three persons, citizens of the corporation, one of whom shall be the mayor, who shall be *ex officio* chairman, whose duties shall be as hereinafter provided.

SEC. 11. *Be it further enacted,* That said commission shall take an oath faithfully to discharge their duties, and give bond under such penalty and conditions, and serve for such compensation as may be provided by ordinance.

Plan or system.

SEC. 12. *Be it further enacted,* That such Commissioners shall prepare and submit to the Town Council a plan or system of sewerage, and also for bridges, if determined upon, with estimate of cost, etc., subject to the adoption, modification or rejection of the Town Council.

Control and construction.

SEC. 13. *Be it further enacted,* That where said Town Council shall have adopted a system of sewerage or detemined upon bridges, said commissioners shall receive the proceeds of said bonds, and have the supervision and control of the construction and building of said sewers and such bridges, and settle their accounts from time to time as may be required by ordinance; *prouided, however,* that changes may be made to said plan of sewers and bridges as said commissioners may deem to the best interest of the corporation when such changes are approved by the "Town Council;" *and provided, further,* that said commissioners, or either of them, may be removed from office by a two-thirds vote of council, for malfeasance, misfeasance, nonfeasance or other misconduct or breach of duty.

SEC. 14. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 18, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 3, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 17.

AN ACT to repeal the charter of the town of Hickory Valley, Hardeman County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of incorporation of the town of Hickory Valley, Hardeman County, Tennessee, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Appproved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 18.

AN ACT to amend subsection 3 of section 1 (chapter 20) of an Act passed June 11, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts of this State, and to fix the time of holding the terms of said Chancery, Circuit and other courts, and to establish a Circuit or Law Court for the County of Knox, separate and apart from the Criminal Court thereof, and to provide judges for said Circuit and Criminal Courts.

Circuit Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Circuit or Law Court of Knox County referred to and established by subsection 3 of Section 1, Chapter 20, of the Acts of the Extra Session of 1885, be and is hereby made a separate and distinct court from the Criminal Court of said county, retaining and exercising all the powers and jurisdiction it now possesses by law.

Judge Logan.

Sec. 2. *Be it further enacted,* That the present judge, Hon. S. T. Logan, holding by virtue of said Act both the Criminal and Circuit Courts, shall hereafter and for the remainder of his term be judge of and hold the Circuit or Law Court hereby established.

Sec. 3. *Be it further enacted,* That the terms or times for holding said court shall be and remain the same as now provided by law.

Sec. 4. *Be it further enacted,* That the jurisdiction of the Criminal Court for the district of Knox County shall be and remain the same as now provided by law.

Criminal Judge

Sec. 5. *Be it further enacted,* That a judge of the Crimiminal Court shall be appointed by the Governor as now provided by the Constitution until the next regular election for State and county officers, when a judge shall be elected to fill the unexpired term of the present Judge of said Criminal Court.

Sec. 6. *Be it further enacted,* That the salaries of the said Circuit and Criminal Judges shall be the same as now provided by law for Circuit and Special Judges.

lection.

Sec. 7. *Be it further enacted,* That at the expiration of the regular term of the present Judge of the Criminal and Circuit Courts for said Knox County; that is to say, at the election for county officers on the —— day of August, 1894, the successors of the judges herein provided for shall be elected for the constitutional term of eight years.

Sec. 8. *Be it further enated,* That this Act take effect on and after the 1st day of April next.

Passed February 20, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 2, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 19.

AN ACT to change the county line between Rutherford and Williamson Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Rutherford and Williamson be so changed as to include all the lands of T. J. Little in Rutherford County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 3, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 20.

AN ACT for the benefit and support of the Tennessee Confederate Soldiers' Home.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sum of twenty-five thousand dollars be and is hereby appropriated out of the current revenue of the State for the purpose of erecting a building or buildings and improvements to be used as a home for disabled and indigent ex-Confederate soldiers, said building, or buildings and improvements, to be erected upon that part of the Hermitage property heretofore set apart for the use of disabled and indigent ex-Confederate soldiers of Tennessee under the provisions of Chapter 180 Acts of Assembly of 1889.

Buildings.

SEC. 2. *Be it further enacted,* That the Comptroller of the State is hereby directed to draw his warrant upon the Treasurer of the State in favor of the Trustees of said

Tennessee Confederate Soldiers' Home, for the payment of said sum of twenty-five thousand dollars.

SEC. 3. *Be it further enacted,* That the sum of ten thousand dollars be and is hereby appropriated for the support and maintenance of said Soldiers' Home for the years 1891 and 1892. Five thousand dollars to be paid each year on the demand of the Trustees of the Home, and the Comptroller is directed to issue his warrant accordingly. Maintenance.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 21.

AN ACT to cede to the United States jurisdiction over certain roads.

WHEREAS, by section 2 of the Act of Congress, entitled "An Act to establish a National Military Park at the battle-field of Chickamauga," approved August 19, 1890, it is provided that upon the cession of jurisdiction by the Legislature of the State of Tennessee over the roads hereinafter mentioned, and the report to the Attorney-general of the United States, that a perfect title has been secured by the United States thereto under the provisions of the Act of Congress of August 1, 1888, chapter 728, the roads described in section 1 of said Act first above mentioned, shall be and are hereby declared to be parts of a National Park, to be known as the Chickamauga and Chattanooga National Park; that is to say: First, The Missionary Ridge crest road from Sherman Heights at the north end of Missionary Ridge in Tennessee, where the said road enters upon the grounds occupied by the Army of the Tennessee under Major-General William T. Sherman, in the military Preamble.

operations of November 24 and 25, 1863; thence along said road through the positions occupied by the army of General Braxton Bragg on November 25, 1863, and which were assaulted by the Army of the Cumberland under Major-General George H. Thomas on that date, to where said road crosses the southern boundary of the State of Tennessee, near the Rossville Gap, Georgia, upon the ground occupied by troops of Major-General Joseph Hooker, from the Army of the Potomac. Second, The roads from the crossing of Lookout Creek across the northern slope of Lookout Mountain and thence to the old Summertown road, and to the valley on the east slope of the said mountain, and thence by the route of General Joseph Hooker's troops to Rossville, Georgia; therefore,

Jurisdiction ceded.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the jurisdiction of this State is hereby ceded to the United States of America over all such roads as are described and referred to in the foregoing preamble to this Act, which lie within the territorial limits of this State, for the purposes of a National Park, or so much thereof as the National Congress may deem best; *provided,* That this cession is upon the express condition that the State of Tennessee shall so far retain a concurrent jurisdiction with the United States over said roads as that all civil and criminal process issued under the authority of this State may be executed thereon in like manner as if this Act had not been passed; *provided further,* that nothing herein contained shall interfere with the jurisdiction of the United States over any matter or subjects set out in the Act of Congress establishing said National Park, approved August 19, 1890, or with any laws, rules, or regulations that Congress may hereafter adopt for the preservation and protection of its property and rights on said ceded roads, and the proper maintenance of good order thereon.

SEC. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 22.

AN ACT to provide for the enumeration of the male inhabitants of the State twenty-one years of age and upward.

1. Governor to appoint commissioners.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Governor of the State shall, as soon as this Act becomes a law, appoint one or more suitable persons from each county of the State, upon the recommendation of Senators and Representatives of the respective counties in this General Assembly, to be known as commissioners, whose duty it shall be to take and make out in writing an accurate and complete list of all the male inhabitants of their respective counties who are twenty-one years of age and upward, who shall have been resident citizens of their respective counties on the first day of January, 1891, and it shall be the duty of each commissioner to return such list of male inhabitants so taken by them, as aforesaid, certified to the Clerk of the County Court of their respective counties within twenty days from the first day of February, 1891.

Duty of County Court Clerks.

SEC. 2. *Be it further enacted*, That it shall be the duty of said County Court Clerk to make out within five days after said lists of enumeration are filed, as aforesaid, to make a duplicate of the same and certify under the seal of their courts that the same is a true copy of the original so filed, as aforesaid, and forward the same to the Secretary of State; that the County Court Clerk shall receive as compensation for such services twenty cents per hundred names.

Secretary of State.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Secretary of State to embody the enumeration thus returned from the respective counties, and to present the same to the General Assembly now in session, or hereafter to meet; that the Governor shall fill all vacancies that may occur by refusal to accept, or by resignation or death of any of the commissioners. The compensation of said commissioners shall be three cents for each inhabitant so enumerated, to be paid out of any money in the treasury, and the amount necessary to carry out the provisions of this Act is hereby appropriated.

Compensation.

SEC. 4. *Be it further enacted*, That said commissioners so appointed shall have access to the United States Census

Reports of the enumeration of 1890, on file in the office of the County Court Clerk of the State, and a reference to said reports by said commissioners shall be legitimate as an auxiliary in the enumeration required by the provisions of this Act.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 15, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 22, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 23.

AN ACT to change the line between the counties of Claiborne and Campbell.

oundaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Claiborne and Campbell be so changed as to detach from Claiborne and attach to Campbell the territory in the following boundaries, to wit: Beginning in the center of the Clear Fork and Laurel Fork road at the point where same crosses the Tennessee and Kentucky State line, thence with the center of said road southwestwardly to the Clear Fork of Cumberland River, near the residence of Dant Hamblin; thence down said river to the Rogers or Wilson Gap road; thence with the center of said road to the top of Cumberland Mountain; thence with the top of said mountain a northeast course to a stake opposite the southwest line of the lands of Sam Alexander; thence with his said line, including all his lands on the Claiborne side, to a large oak on the Powell's Valley road corner between him and the heirs of William Wilton, deceased; thence with said road an east course to the southwest line of L. M. Carr; thence with his said line a southeast course to the southwest lines of B. F. Carr; thence with his said line to the southwest line of

Mitchell Alexander's (Kincaid farm); thence with same to the southwest line of the old Harmon Davis farm, and with same to the Back Valley road; thence down said road to the Greasy Hollow road; thence with said road to the Greasy Hollow branch; thence with said branch to Powell's River, hear what is known as the Greasy Hollow mill; thence down said river to the Union County line, thence with the Union County line to the Campbell County line.

Collection taxes.

SEC. 2. *Be it further enacted,* That nothing in this Act shall be so construed as to prevent the revenue collectors of said counties respectively from collecting any taxes already assessed against persons or lands in the same manner, and under the same process of law as if the change in the line between the counties had not been made by section 1 of this Act.

Future assessments.

SEC. 3. *Be it further enacted,* That all future assessment of taxes against persons or lands shall be made by the proper officers of the respective counties, and the taxes collected in pursuance of such assessments with reference to this change in the county line between the counties of Claiborne and Campbell.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 13, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 24.

AN ACT of the General Assembly of the State of Tennessee concurring in the removal of the county seat of McNairy County from Purdy to Selma.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* two-thirds of both branches concurring, that the General Assembly of the State of Tennessee agree to and concur in the removal of the county seat of McNairy County, Tennessee, from Purdy to Selma.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 25.

AN ACT to change the line between Rutherford and Coffee Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Rutherford and Coffee be and the same is hereby so changed as to include all lands of Wiley Hamilton, J. N. Chadwick, and N. P. Norton lying in Rutherford County within the limits of Coffee County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 26.

AN ACT to establish a special court at Rockwood, Roane County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be held at Rockwood, a Common Law Court for the sixth, seventh, eleventh, twelfth, and thirteenth civil districts of Roane County, to be called the Law Court of Rockwood, and to constitute one of the courts of the Third Judicial Circuit, and to be held by the Judge thereof with common law jurisdiction, original and appellate, over all cases arising at law within said civil districts of a civil, commercial or criminal nature, and that the Attorney-general of said Third Circuit shall attend said court, and transact the business appertaining to his office thereat.

Law Court of Rockwood.

SEC. 2. *Be it further enacted,* That the Law Court of Rockwood has general common law jurisdiction, original and appellate, in all cases at law of a civil or criminal nature, arising in the civil district named in the first section of this Act, and that no resident of said district shall be sued in the Circuit Court of Roane County, Tennessee, in any transitory action, and only in such cases as he might be sued in said Circuit Court if he were a resident of any other county or State, nor to be presented or indicted therein unless the offense was committed in the county outside of the districts named in the first section of this Act. When the court hereby established has jurisdiction of the cause of action, counterparts of writs may issue from said courts for joint defendant residing out of said districts, as are issued by the Circuit Court of the State to other counties, and counterparts may issue to any other counties in the State as in Circuit Courts.

Jurisdiction.

SEC. 3. *Be it further enacted,* That the Law Court of Rockwood shall have all the power and jurisdiction within the local jurisdiction named in the first section of this Act that belongs by law to the Circuit Courts of this State.

SECTION 4. *Be it further enacted,* That the Judge of said court shall at each term thereof order the impaneling of a Grand Jury, which shall have the same powers within the limits of said civil districts and be governed by the same laws as other Grand Juries are.

Judge.

Jurors.

Sec. 5. *Be it further enacted,* That the County Court of Roane Couty shall designate and caused to be summoned by the Sheriff or his deputy a sufficient number of the resident citizens of the civil districts named in the first section of this Act to serve as jurors in said court; *provided,* the jurors for the first term of said court, to be holden on the third Monday in April, 1891, shall be designated by said County Court at its April term, 1891.

Clerk.

Sec. 6. *Be it further enacted,* That the Clerk of the Circuit Court at Kingston, Tennessee, shall, upon application of either party, in person or by attorney, transfer any cases now pending in the Circuit Court of Roane County, to the Law Court of Rockwood, when the defendant is a resident within the local jurisdiction of the court established by this Act.

Deputy Sheriffs.

Sec. 7. *Be it further enacted,* That the Sheriff shall appoint one or more citizens of Roane County deputies, who shall qualify as other deputies, and shall reside within the local jurisdiction of the Law Court of Rockwood.

Clerk.

Sec. 8. *Be it further enacted,* That the Clerk of the Circuit Court of Roane Connty shall be the clerk of said court, and shall keep an office by himself, or deputy, at Rockwood, which shall be open all the time for the transaction of business.

Expenses.

Sec. 9. *Be it further enacted,* That the expenses of holding the Law Court of Rockwood shall be paid out of the Treasury of Roane County, under the rules and restrictions as provided by law for the payment of the expenses of the Circuit Court of said county of Roane.

Sec. 10. *Be it further enacted,* That the Law Court of Rockwood shall be held on the third Mondays of April, August, and December of each year.

Sec. 11. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 27.

AN ACT to incorporate the town of Newport in the County of Cocke, provide for the election of officers, prescribe their duties, and define the powers of said corporation.

Boundaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Newport in the County of Cocke, and the inhabitants within the following boundaries, namely, beginning on the bank of Big Pigeon river, opposite mouth of lane dividing the N. Corell and Gorrell farms; thence with said lane and continuing same course to the Jones Cove road; thence with said road to the road leading from Newport to Wilsonville; thence with the Wilsonville road to the line of L. W. Hooper; thence north to Big Pigeon river; thence up the various meanders of said river to the beginning, be and are hereby constituted a body politic and corporate under the style and name of the Mayor and Aldermen of the town of Newport, and shall have perpetual succession by their corporate name; may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, mixed and personal property, or dispose of the same for the benefit of said town, and may have and use a town seal.

Powers of the corporation.

SEC. 2. *Be it further enacted,* That the corporation aforesaid shall have full power and authority to enact and pass laws and by-laws; to prevent and remove nusiances; to provide for licensing and regulating auctions; taxing, regulating or restraining theatrical or other public amusements and shows within the bounds of the corporation; to restrain and prohibit gambling; to regulate the sale of spirituous liquors; to establish night-watches and patrols; to ascertain when necessary the boundary and location of streets, lanes and alleys with the consent of the proprietors of the lots and houses adjoining such streets, lanes or alleys; to have charge of and keep in repair the streets; to pass all laws necessary for same; to establish the necessary inspection within the town; to enact and regulate market, drays and personal privileges; to provide for the establishment and regulation of a fire company; the sweeping of chimneys and safe condition of flues; to provide water by the digging of wells or erecting water-works, or otherwise; to provide and regulate pumps, pipes and sewers; to impose and appropriate fines, penalties and forfeitures for a breach of the by-laws and ordinances; to appoint a Recorder; to provide for and establish a system of free schools for all classes of children in said town as provided in this charter; to levy and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town, and to pass all laws and ordinances necessary and proper to carry the interest and meaning of this Act into effect; *provided* they are not inconsistent with the constitution and laws of this State; *and provided, further,* that nothing in this Charter shall be so construed as to give the corporation the right to change the plan of the town known as the "Newport Development Company's Addition," nor the streets and alleys thereof.

Sheriff to hold election.

SEC. 3. *Be it further enacted,* That the Sheriff of Cocke county, after ten days previous notice, shall hold an election in the town of Newport, at the usual polling place, on the fourth Saturday of March, 1891, and on the first Saturday of January of each and every succeeding year, for the purpose of electing five persons to serve as Aldermen, and one person for Mayor, and one for Constable. The terms of the first officers shall expire the first Saturday in January, 1892, after which the terms of office shall be for twelve months, or until their successors are elected and qualified.

Judges and Clerks of election.

SEC. 4. *Be it further enacted,* That the sheriff aforesaid, shall, previous to holding an election for Mayor, Aldermen or Constable, as provided in preceding section, appoint six respectable citizens of Newport, three of whom shall act as judges and three as clerks of said election, whose duties shall be the same as other clerks and judges of popular elections.

Special election.

SEC. 5. *Be it further enacted,* That if for any cause the sheriff shall fail or neglect to hold an election on the first Saturday in January, in each and every year, he may at any time thereafter open and hold an election for the aforesaid officers to fill the unexpired time, by first giving ten days' notice of said elections.

Legal voters.

SEC. 6. *Be it further enacted,* That all persons living within the bounds of said corporation, who would be qualified to vote for members of the General Assembly of this State, and persons owning a freehold within the bounds of said incorporation, and otherwise entitled to vote, shall be entitled to vote for Aldermen, Mayor and Constable for said corporation.

Eligibility of officers.

SEC. 7. *Be it further enacted*, That no person shall be eligible for the office of Mayor, Alderman or Constable unless he be a citizen of the town of Newport as herein incorporated, and freeholder or householder of the town of Newport, and in case of death, removal or resignation of any of the officers of said corporation, the Mayor and Aldermen shall have the power to fill said vacancy for the unexpired time.

Certificates of election.

SEC. 8. *Be it further enacted*, That the several persons qualified as aforesaid having the highest number of votes at any election held shall be taken as duly elected and the sheriff, or his deputy holding the election as aforesaid, shall within five days thereafter give to the five Aldermen, Mayor and Constable a certificate of their election. It shall be the duty of the persons so elected to meet immediately after the reception of said certificate of election, and after having been qualified, as provided in next section, the Mayor and Aldermen, three of whom shall constitute a quorum, shall proceed to elect a Recorder for said corporation, for the same time for which the Mayor and Aldermen were elected, and the peron so appointed or elected by them shall serve after the first election until the first Saturday in January in each year, or until his successor is elected and qualified. The first election shall be for the same term as the other officers.

Organization.

Oath.

SEC. 9. *Be it further enacted*, That the Mayor and Aldermen of said town shall, before entering upon the duties of their office take an oath before some Justice of the Peace for Cocke County, to support the Constitution of the United States, and the State of Tennessee, and to faithfully, uprightly and honestly discharge their duties as Mayor and Aldermen during their term of office.

Duties of the Mayor.

SEC. 10. *Be it further enacted*, That it shall be the duty of the Mayor to preside at all meetings of the Council; to take care that all the ordinances and by-laws of said corporation are duly and properly enforced, respected and observed; to take oath of office presented in Section 9, before he enters upon the duties of same; call special meetings of the Board of Mayor and Aldermen whenever he may deem it expedient; to make such suggestions and give such instructions in reference to the action of said Board, as in his judgment will be most conducive to the interest of the corporation; to employ counsel in behalf of the corporation in any case in which said corporation may be interested when in his judgment the same may be necessary, and to perform such other duties as may be incumbent and binding upon him by the by-laws and ordinances of said corporation.

Recorder.

Oath and bond.

SEC. 11. *Be it further enacted,* That it shall be the duty of the Recorder to try all offenses for violation of ordinances and by-laws of said corporation, and he is hereby invested with full power and authority to try all such offenses, and for his services is allowed the same fees as justices of the peace for like services; to discharge such other duties as may be imposed upon him by the by-laws and ordinances of said corporation, and before entering upon the discharge of his duty to take the same oath as is prescribed for other officers in Section 9 of this Act, and shall enter into bond with sufficient security in the sum of five hundred dollars, made payable to the Mayor and Alderman, conditioned for the faithful and honest discharge of his duties as such Recorder, and to account for and pay out by direction of council all money collected by him by virtue of his said office, and to account for and pay to his successor at the end of his term all money that may be in his hands belonging to said corporation.

To report to Board.

SEC. 12. *Be it further enacted,* That it shall be the duty of the Recorder to receive all moneys due the corporation, and he shall render semi-annually, and oftener if the Board of Mayor and Aldermen require it, a full and complete statement of finances under his control, and shall exhibit to the board semi-annually of each year a full and complete statement of the finances o corporation; to assess the taxes due the corporation, and within thirty days from the time of assessment deliver to the town Constable a tax list, which shall be the authority of said Constable for collecting the taxes therein specified, and the Recorder shall preserve a copy of said tax list with the papers of the corporation, and to pay out all moneys of corporation upon the order of the Mayor in pursuance of the directing of the Board of Aldermen. At the expiration of his term of office the Recorder shall deliver to his successor all books and papers, belonging to the corporation, and take his receipt for same, and make a final settlement with the Board of Mayor and Aldermen.

Constable..

Oath and bond.

SEC. 13. *Be it further enacted,* That the Constable so elected, after the first election, shall continue in office for twelve months from the time of his election, and before entering upon the duties of his office shall take oath prescribed in Section 9 of this Act, and shall give bond and security in a sum to be provided by the Board of

Mayor and Aldermen, to be approved by the County Court of Cocke county, made payable to the State of Tennessee for the use of Mayor and Aldermen of Newport, conditioned for the faithful discharge of the duties of his office, and accounting for and paying over all moneys and corporation taxes by him collected.

Constable's duties.

SEC. 14. *Be it further enacted*, That it shall be the Constable's duty to execute all process, collect all taxes due the corporation, and to pay over monthly to the Recorder all moneys collected by him for said corporation, and to discharge such other duties as may be made incumbent upon him by the by-laws and ordinances of said corporation, and to this end he is clothed with the same authority as is now provided by law for constables, and shall receive the same fees for his services.

Powers and duties of Mayor and Aldermen.

SEC. 15. *Be it further enacted*, That the Mayor and Board of Aldermen shall have full power and authoriy to appoint a Marshal and as many policemen as in their judgement they may deem necessary at any time to preserve the quiet of the town and the peace, or to enforce the ordinances of said corporation; to fix their term of office, and regulate the salary of the same; said Marshal or police so appointed shall have power to execute all process that the Constable is authorized to execute; *provided*, that said Marshal or police shall not have the power to collect municipal taxes. Said Board of Mayor and Aldermen shall have power to appoint all other officers and agents for corporation that they may deem necessary, and provide the compensation of said officers, and the Board of Mayor and Aldermen shall have full power and authority to dismiss an officer or agent appointed or elected by them, including the office of Recorder and Marshal, for incempetency or any violation, neglect or disregard of the duties incumbent upon them by the by-laws and ordinances of said corporation, provided that two-thirds of the Board of Mayor and Aldermen concur in the dismissal or removal.

Same.

SEC. 16. *Be it further enacted*, That the Mayor and Board of Aldermen of Newport shall have power and authority within the town to provide for the arrest and confinement until trial of all riotous and disorderly persons, and provide for the arrest of any persons violating the ordinances of said town; and they shall have full power and authority to erect a work-house or calaboose for the safekeeping of persons, and when any person or persons are convicted for any violation of any by-law or ordinance of said corporation fails or refuses to pay, or secure to be paid, the fines and costs accruing thereon the Board of Mayor and Aldermen may provide by ordinance for the confinement in said work-house or calabose, and put them to work for the town on the streets, or other public works, under a proper guard, or secured by ball and chain, at such wages as the board may adopt by ordinance until such fine and costs are paid.

To open new streets.

SEC. 17. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Newport shall have full authority to lay off and open up new streets, lanes and alleys in said town, and extend the old ones for the convenience of the inhabitants thereof, in the manner and mode prescribed by Sections 1659 to Sections 1667 of Milliken and Vertrees' compilation of the laws of the State of Tennessee, and made by ordinance, or otherwise, require owners of business houses to place good and substantial pavements of brick or stone in front of their houses.

Additional powers.

SEC. 18. *Be it further enacted*, That the incorporation of the Board of Mayor and Aldermen of Newport shall have all the powers and be subjected to all the limitations and restrictions embraced in Section 1607 to 1676, inclusive, in Milliken and Vertrees' compilation of the laws of the State of Tennessee.

May provide water-works.

SEC. 19. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Newport be, and the same are hereby authorized to provide for a system of waterworks within said town, and for that purpose the board may create a fund by levying and collecting a tax not to exceed, each year, one half the tax levied for general purposes; *provided*, that before said tax shall be levied, the board shall submit the question of waterworks to the legal voters of said town, and it shall require the consent of two-thirds of the votes cast in said election to authorize the levy and collection of said tax.

SEC. 20. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.
THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 28.

AN ACT to change the county line between the counties of Fentress and Pickett.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Fentress and Pickett be so changed as to include all the farms of G. W. Crouch and Jackson Rains in the county of Pickett.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 29.

AN ACT to authorize the City of Knoxville to issue bonds for public improvements.

May issue $500,000 in bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act, it shall be lawful for the Board of Mayor and Aldermen of the City of Knoxville to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed the sum of $500,000; the sum of two hundred and fifty thousand ($250,000) dollars to be appropriated to building sewers, one hundred and twenty-five thousand ($125,000) to building bridges and the sum of one hundred and twenty-five thousand ($125,000) dollars in improving the streets; *provided* said bonds or their proceeds shall be used exclusively for the purposes of constructing a system of sewerage, of improving the streets and building bridges in said city in the proportions above set out, in such manner and places as may be determined upon by the corporate authorities of said city, and in accordance with its charter provisions for making all public improvements therein.

Conditions of bonds.

SEC. 2. *Be it further enacted*, That all bonds issued under this Act shall be of such denominations and bear such rate of interest, not to exceed 5 per cent., and be due in such time, not to exceed fifty years from date, and be payable at such times and places as the corporate authorities may determine.

Same.

SEC. 3. *Be it further enacted*, That the bonds provided for by this Act shall in no case be sold for less than par, and the coupons attached shall at maturity be receivable for all taxes and dues to the corporation, except the sinking fund tax hereinafter provided for, and sinking fund taxes levied for any other purpose, and the school tax.

Sinking fund.

SEC. 4. *Be it further enacted*, That as soon as the bonds herein provided for shall have been issued hereunder, the corporation shall provide by ordinance for a sinking fund wherewith to retire the bonds by levying a special tax, the same to be designated the "sinking fund tax;" the tax to run with the bonds, and to be collected and used exclusively for the purpose levied, and to be sufficient, with its accumulations, as nearly as may be estimated, to meet or retire the principal indebtedness by its maturity.

Sinking Fund Commissioners.

SEC. 5. *Be it further enacted*, That for the purpose of managing and applying said sinking fund tax said corporation shall, as soon as necessary, appoint or select by ballot three persons, citizens and tax-payers in the corporation, who shall be known as "Sinking Fund Commissioners," whose term of office shall be three years, or until their successors shall be elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one for two years, and one for three years; and every year thereafter one shall be elected to serve three years; *provided*, that said corporation may, if it so elects, entrust the management of said sinking fund to its Sinking Fund Commissioners now existing under the laws of the State heretofore enacted.

Oath and bond of Commissioners.

SEC. 6. *Be it further enacted*, That said Commissioners shall take an oath before any person authorized to administer oaths in judicial proceedings faithfully to discharge their duties, and shall give bond in such sum and otherwise qualify themselves, and receive such compensation as the ordinances of the corporation may provide.

Duties of Commissioners.

SEC. 7. *Be it further enacted*, That said Commissioners shall receive from the Tax Collector of the city all sinking fund taxes arising by operation of this Act, and shall invest the same from time to time in bonds of the corporation; or if unable to invest the same shall invest in other unquestionable securities bearing not less than 6 per cent. interest; and shall make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct; *provided, however,* that whenever such bond of the city is purchased or invested in by said Commissioners, they shall cancel the same in the presence of the Mayor and Finance Committee in such manner as may be determined by ordinance.

Election.

SEC. 8. *Be it further enacted,* That the said bonds shall not be issued or used unless so ordered by a majority of the votes cast in an election to be held upon due notice by order of the Board of Mayor and Aldermen at any time and as many times as said Board may deem necessary.

SEC. 9. *Be it further enacted,* That said election shall be held according to the laws regulating such elections existing in the State of Tennessee.

Condemnation of ground.

SEC. 10. *Be it further enacted,* That for the purpose of using the same as bridge sites, and for the construction and maintenance of sewers, or any essential part of a sewerage system, the Board of Mayor and Aldermen of the City of Knoxville shall have power to take and appropriate grounds in the manner now provided for condemnation in laying out streets, etc., in subsection 30 of section 18 of the charter of the City of Knoxville.

Registration of voters.

SEC. 11. *Be it further enacted,* That the officers charged with the duty of providing for the registration of voters in general elections and the management of general elections in the City of Knoxville are hereby charged with the duty of providing for the registration of voters and the conduct of any and all elections held under this Act; *provided,* that all expenses of registration and election shall be borne by the City of Knoxville.

Returns of elections.

SEC. 12. *Be it further enacted,* That whenever any election shall be held under this Act the officers of election shall make return thereof in the manner and to the person prescribed by law in general municipal elections, and the vote shall be canvassed and the result decided and announced in the method now provided by law for said general elections.

Election tickets.

SEC. 13. *Be it further enacted,* That the commissioners of election shall furnish, according to the laws now existing and regulating elections in this State, tickets to be used in said election, and upon said tickets shall be printed first, "bonds;" and second, immediately below, "no bonds," and persons voting for the issuance of bonds shall mark their tickets with a cross opposite the word "bonds," and those voting against the issuance of bonds shall in like manner mark their tickets opposite the words "no bonds."

Passed January 29, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 30.

AN ACT to extend the corporate limits of the town of Huntingdon, in Carroll County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the town of Huntingdon, in Carroll County, Tenn., shall be so extended as to embrace the following territory: Beginning at a stake, the original margin of the corporation of Huntingdon and the southwest corner of the Grizzard Cemetery, runs thence north 77½°, east 16 poles to a stake the southeast corner of said cemetery; thence north 16°, west 36 poles to a stake in the south line of James Brown's lot; thence north 65½°, east 22 poles to a stake; thence north 8½°, west crossing the Nashville, Chattanooga & St. Louis Railway 41 poles to a stake in the middle Paris road; thence north 2°, east with said road 54 poles to a white oak tree in the margin of said road; thence west 67 poles to a gum tree in a street near the Southern Normal University grounds; thence south 80°, west 97 poles to a stake in an alley; thence north 45°, west 12 poles to the northeast corner of Clark's Cemetery; thence north 21°, west 37 poles to a stake in an alley; thence south 65°, west — poles to the original corporation line; thence with said original line to a bridge, which is located near the confluence of the East and West Paris streets; thence south 26°, west crossing the Nashville, Chattanooga & St. Louis railway, 140 poles to a stake in the center of the Central Railroad bed; thence south 34°, east crossing a slough bridge, 96 poles to Beaver Creek; thence with meanders of said creek to the original beginning corner of said corporation as fixed by Act of the General Assembly in 1867, it being a point on Beaver Creek, south 25°, east of the southwest corner of the Grizzard Cemetery; thence north 25°, west to the beginning.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 16, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 31.

AN ACT to protect real estate owners whose lands are damaged by changing, repairing, improving or working in or on any highway or townsway in any town or city in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when any owner of real estate in any town or city in the State of Tennessee shall sustain any damage to his property by reason of any change made in the natuaral or established grade of any highway or townway in any city or town in the State, or by reason of the raising or lowering of such grades or other acts done for the purpose of improving or repairing such ways, the said owner shall be paid all damages therefor by such cities and towns within said State, which damage may be recovered before any court of competent jurisdiction, at any time in one year from the completion of or the cessation of such works, acts or improvements.

SEC. 2. *Be it further enacted*, That no benefits accruing by reason of such improvements, acts or works shall be allowed to effect or reduce the damages hereinbefore provided for.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 31, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 16, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 32.

AN ACT to repeal the charter of New River, Scott County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of New River in Scott County be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 33.

AN ACT to change the county line between Meigs and McMinn Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Meigs and McMinn be so changed as to include within the county of Meigs all the lands of Jasper Redmond and Thedoric Grant and S. B. Keylon, which lands now lie in the northeast corner of McMinn County, adjoining the Meigs County line.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 34.

AN ACT to amend Chapter 8 Acts of 1887, and to change the time of holding the Circuit Courts of Grundy County, Tennessee, and to provide for holding the said courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 8 of the Acts of 1887, passed February 16, 1887, and approved February 23, 1887, be so amended that the Circuit Courts for Grundy County shall be held on the first Tuesdays after the fourth Mondays in March, July and November, instead of the fourth Mondays in April, August, and December, as now provided by law.

SEC. 2. *Be it further enacted,* That the change provided for in the first section of this Act shall not operate so as to change the April term, 1891, of said Courts, but the first term of said court held under the provisions of this Act shall be held on the first Tuesday after the fourth Monday in July, 1891.

SEC. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after the April term, 1891, of said court, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 35.

AN ACT to make the State Superintendent of Public Instruction *ex officio* a member of the State Board of Education, and also a member *ex officio* of all other State Boards of Education or associations.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the State Superintendent of Public Instruction of Tennessee shall be *ex officio* a member of the State Board of Education.

SEC. 2. *Be it further enated,* That he shall also be a member *ex officio* of all other State educational bodies or associations.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 36.

AN ACT assenting to the purpose of and empowering the Treasurer of the University of Tennessee to accept and apply certain grants of money authorized by an Act of the United States Congress approved August 30, 1890, and entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the State of Tennessee hereby assents to the purpose of the Act of the United States Congress, approved August 30, 1890, entitled An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the college for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two, and empowers the Treasurer of the University of Tennessee to accept the whole of said grants of money authorized by the said Act to be paid in the State of Tennessee, and to give his official receipt for the same.

SEC. 2. *Be it further enacted*, That said grants of money to Tennessee shall, as a part of the endowment and support of the college for the benefit of agriculture and the mechanic arts, established by contract of this State with the Trustees of the University of Tennessee, be committed to the Trustees of the said University, in accordance with the requirements of the Act of Congress making the grants, to be applied by them as the said Act of Congress directs; and all results and expenditures shall be reported, in accordance with the provisions of the Act making the grants, all of which are hereby assented to and accepted for this State.

SEC. 3. *Be it further enacted*, That all laws in conflict with this Act be and the same are hereby repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 37.

AN ACT to amend an Act passed November 21, 1853, entitled "An Act to establish a College at Fayetteville, in Lincoln County," Chapter 14, Acts 1853–4.

Name changed

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That that portion of section 1, of an Act passed November 21, 1853, Chapter 18, Acts 1853–4, to establish a College at Fayetteville, in Lincoln County, be so amended as that hereafter said College shall be known and distinguished by the name of "Dick White College" instead of "Milton College."

Quorum.

SEC. 2. *Be it further enacted,* That that portion of section 4, of said Act directing that the faculty and eleven trustees shall constitute a quorum to form by-laws, rules and regulations for the government of said College, be so amended as to read "said faculty and five of the trustees shall constitute a quorum to form by-laws, rules and regulations for the government of said College," and the latter portion of said section 4, which reads, "The Tennessee Presbytery of the Cumberland Presbyterian Church," be so amended as to read "the Tennessee Synod of the Cumberland Presbyterian Church," and whenever the word "Presbytery" occurs, either in said Act of November 21, 1853, or in this Act, the same shall be read Synod.

Synod.

SEC. 3. *Be it further enacted,* That that portion of section 5, of said Act, providing that eleven trustees shall constitute a quorum to transact any business pertaining to said institution, be so amended as to read "five of which trustees shall constitute a quorum to transact any and all business pertaining to said institution;" and the further portion of said section 5, relating to filling vacancies in the board of trustees, be so amended as to allow a quorum of said board to fill such vacancies as may occur from time to time, whenever said quorum deem it expedient not to delay the same for the assembling or action of said Synod as now provided; *and provided further,* that the action of said board, in this respect, may be changed or annulled by said Synod at any time thereafter, but so as not to effect the validity of any Act of said board during the interim, or

Vacancies.

to the time of such change or amendment; *and provided further*, that nothing in this Act shall be construed to deprive said Synod of the right and power to appoint all trustees, and fill all vacancies of same as now contemplated by said Act of 1853.

Acts of Trustees.

Sec. 4. *Be it further enacted*, That all actings and doings of said board of trustees, as such, prior to the passage of this Act, with nine instead of eleven for a quorum, be and the same are hereby declared and made legal, valid and binding to all intents and purposes as though eleven had been present and participating therein as contemplated by said Act of 1853.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 38.

AN ACT to amend an Act to divide the State of Tennessee into Judicial, Circuit and Chancery Divisions, passed June 11, 1885, and approved June 12, 1885, Acts of Extraordinary Session of the General Assembly of the State of Tennessee, Chapter 20, and the Act of the Legislature to change the time of holding the Circuit Courts of the Twelfth Judicial Circuit of the State of Tennessee, passed February 15, 1889, and approved by the Governor February 20, 1889, and an Act to create a new judicial circuit to be known as the Eighteenth Judicial Circuit of the State of Tennessee.

New circuit.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be added to the seventeen judicial circuits of the State of Tennessee, into which the Circuit Courts of the State are now divided, another and a new circuit to be known as the Eighteenth Judicial Circuit, and that said circuit shall comprise the counties of Carroll, Gibson, Crockeett and Haywood, now constituting a part of the said Twelfth Judicial Circuit.

Terms.

SEC. 2. *Be it further enacted*, That the time of holding the Circuit Courts in said Eighteenth Circuit shall be as follows: Carroll County, the first Mondays in January, May and September. Gibson County, at Trenton, the fourth Mondays in January, May and September; at Humboldt, the first Mondays in March and July and the second Mondays in November. Crockett County, the fourth Mondays in March, July and November. Haywood County, the second Mondays in April, August and December.

Appointments.

SEC. 3. *Be it further enacted*, That the Governor of the State shall appoint a Judge for the said Eighteenth Circuit, to serve as such until the next general election, and also an Attorney-general, should there be a vacancy, to serve for the same time.

Bonds.

Process.

Jurors.

Recognizances.

SEC. 4. *Be it further enacted*, That all bonds that shall be taken and all process issued shall be returnable to the said courts at the time and place fixed for holding the same in section 2 of this Act, and that all process issued from either of said courts before the passage of this Act, returnable to the term of said court, as now fixed by law, shall be returned and returnable to the term of said courts as fixed in the Act, and such return shall bind all parties, and that all causes pending in either of said courts and triable at the succeeding term thereof as now fixed by law shall stand continued to and triable at the term thereof fixed above in this Act, and if jurors shall be selected or summoned for any term of either of said courts prior to the passage of this Act they shall attend the court at the time fixed in this Act for the succeeding terms after they were summoned; and that all bonds heretofore taken and all recognizances heretofore entered into or taken in any criminal case in either of said courts shall be and remain in full force and effect, and shall bind the parties thereto to appear for trial at the next term of the Circuit Court for the county in which the case is pending, fixed in this Act, and that such bonds and recognizances shall have as full force and effect at the next succeeding term as fixed in this Act as they would have at the next succeeding term under the Act of 1889, of which this is amendatory.

SEC. 5. *Be it further enacted*, That all laws in conflict with this Act be and the same are hereby repealed; that this Act take effect from and after its passage, the public welfare requiring.

Passed February 24, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 39.

AN ACT to amend an Act entitled "An Act to reform and amend the penal laws of the State of Tennessee," passed December 19, 1829, being Sections 5432 of Milliken & Vertrees' compilation, and 4668 of the Code of 1858.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee,* That an Act passed December 19, 1829, entitled "An Act to reform and amend the penal laws of the State of Tennessee," being Sections 5432 of Milliken & Vertrees' compilation, and 4668 of the Code of 1858 be and the same is hereby amended so that said Act shall read after the word "hay," and between the word hay and "or any valuable bridge," the words *or cotton either in bale or in pen, or any agricultural product or mechanical implements.*

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 40.

AN ACT to amend Section 17 of Chapter 114 Acts of 1883, and entitled "An Act to provide for the creation and organization and defining the powers of municipal corporations embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, or who may have that population, according to any future Federal Census, whose charters have been abolished," so as to empower said municipal corporations to purchase or erect and own and operate gas plants and systems of gas-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 17 of Chapter 114 of the Acts of 1883, an Act entitled "An Act to provide for the creation and organization and defining the powers of municipal corporations embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, or who may have that population, according to any future Federal Census, whose charters had been abolished," be so amended as to add as subsection 39 to said section 17 the following:

To purchase or erect within or beyond the boundaries of the city a gas plant, and to own and operate the same, together with a complete system of gas-works, for the purpose of supplying the city with lights.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 41.

AN ACT to amend subsection 35 of Section 17 of Chapter 114 Acts of 1883, an Act entitled "An Act to provide for the creation and organization and defining the powers of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, or who may have that population, according to any future Federal Census, whose charters have been abolished," so as to extend the power of "*Eminent Domain*" therein conferred to the condemnation and taking of land by said corporations for purposes of sewers, gas-works, hay-markets, market-houses, fire engine houses, station-houses, work-houses, and city hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That subsection 35 of Section 17 of Chapter 114 Acts of 1883, an Act entitled "An Act to provide for the erection and organization and defining the powers of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, or who may have that population according to any future Federal Census, whose charters have been abolished, be so amended as to read as follows:

To take and appropriate grounds for widening streets or parts of streets thereof or laying out of new streets, avenues, squares, parks, and promenades, or for building sewers, gas-works, hay-markets, market-houses, fire engine houses, station-houses, work-houses, and city hall, when the public convenience requires it, under the provisions of section 1562 and sections 1661, 1662, 1663, and 1664 of Milliken & Vertrees' compilation of the laws of Tennessee.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 42.

AN ACT to change the line between the counties of Pickett and Fentress.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Pickett and Fentress be and the same is hereby changed so as to include all the farms of N. E. Storie and F. P. Storie in the County of Pickett.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 3, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 43.

AN ACT to amend section 2246 of the laws as compiled by Milliken & Vertrees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 2246 of the laws as compiled by Milliken & Vertrees, being a compilation of the laws of Tennessee, be so amended as to read as follows: No person shall fish with seine, net, trap or other device in the waters of the counties of Gibson, Madison, Hancock, Weakley, Hardeman and Henry upon the premises of another without permission to do so, and any violation of this section is hereby declared a misdemeanor, and shall be punished by a fine of not less than ten dollars and cost or imprisonment for not less than thirty days, at the option of court; *provided, however,* that it shall not be unlawful to angle with hook and line or fish with trot line in any of the running waters in said counties.

SEC. 2. *Be it further enacted,* That all laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 44.

AN ACT to authorize municipal corporations created and organized under the Act of the General Assembly, being Chapter 114 of the Acts of 1883, passed March 21, 1883, and approved March 27, 1883, to issue bonds for the building and equipping, or purchasing a gas plant and system of gas-works, and to secure the payment of all such bonds so issued.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and City Council of any incorporated city or town in the State of Tennessee, created and organized under the Act of the General Assembly, being Chapter 114 of the Acts of 1883, passed March 21, 1883, and approved March 27, 1883, are hereby empowered in their incorporate capacity to issue the bonds of said city or town, signed by the Mayor and countersigned by the Comptroller, with interest coupons attached, which shall be signed by the treasurer of said city or town, not exceeding $600,000.

Power to issue bonds.

SEC. 2. *Be it further enacted,* That the bonds herein provided for may be of denominations from $100 to $1,000, and shall mature at such times within forty years as may be fixed by corporate ordinances, bearing interest at the rate of 6 per cent. per annum, payable semi-annually; and said bonds and coupons may, if the Mayor and City Council of said city or town so elect, be made receivable for taxes due said city or town.

Bonds.

SEC. 3. *Be it further enacted,* That said bonds shall be known as "The Gas-work Bonds," and shall be used exclusively for building and equipping or purchasing a gas plant and system of gas-works for said corporation so issuing said bonds.

Lien.

SEC. 4. *Be it further enacted,* That the bonds so issued shall be and constitute a first lien on the gas plant and system of gas-works so built and equipped or purchased, and said entire gas plant and system of gas-works shall be and remain security for the payment of said bonds and the interest accruing thereon.

Trust Fund.

SEC. 5. *Be it further enacted,* That for the further security of the payment of said bonds the entire surplus receipts of the gas-works, over and above the running expenses, shall be used in the extension of the works, or shall constitute a "trust fund" for the entire period said bonds or any of them are to run, and the same shall be applied exclusively to the extension of said works or to the payment of said bonds as the same mature.

SEC. 6. *Be it further enacted,* That none of said bonds authorized to be issued by this Act shall be sold or exchanged for less than their face or par value.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS.
Speaker lo the House ol Representatives.

W. C. DISMUKES,
Speaker o the Senate.

Approved March 3, 1889.

JOHN P. BUCHANAN,
Governor.

CHAPTER 45.

AN ACT to permit religious denominations to appoint Trustees to take, hold and accept and administer donations, gifts, bequests and devises, and to incorporate the same.

Charter.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That charter of incorporation may be granted to any persons, not less than five in number, who have been selected and appointed by any religious denomination for the purpose to take out charter and become a body politic and incorporate, with power to receive, collect and hold in trust, for the benefit of religious denominations so appointing them, and all donations, bequests, devises, legacies and grants of land and personalty that may be given, conveyed or bequeathed to such corporation for any religious, benevolent, educational, missionary or charitable object, and said corporation shall hold the same in accordance with the direction of the donor, conveyor or testator, and administer the same for the specific object indicated by the donor, conveyor or testator under the religious denomination so appointing the Trustees, and in all cases in which the conveyor, donor or testator has not indicated any special or general object to which the same shall be applied or administered, then the same may be administered in behalf of any religious, educational, benevolent or charitable object or objects to which the governing body of such denomination shall indicate and direct.

Powers.

Name and seal.

SEC. 2. *Be it further enacted,* That such corporation shall have a corporate name, seal, may sue and be sued, have succession, and the form of the charter shall be the same as that set out in Article III., Section 1974, of the Revised Code of Tennessee, compiled and edited by Milliken & Vertrees, and the Act of 1875, Chapter 142, under the head of corporations for general welfare and not for profit.

SEC. 3. *Be it further enacted,* That the charter for said corporation shall be obtained and taken out, signed, acknowledged and registered in all respects as now provided by law for the organizations.

SEC. 4. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Sperker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 46.

AN ACT to amend Chapter 12 Acts 1887, and to change the time for holding the Circuit Court of Clay County, and to provide for holding same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 12 of the Acts of 1887 be so amended that the Circuit Court for the county of Clay shall be held as follows, viz.: On the last Mondays in February, June, and October.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS.
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 47.

AN ACT to compile the several Acts heretofore passed regulating the business of Fire and all other except Life, Plate Glass and Live Stock Insurance, into one Act, and amend the same, and to repeal all laws in conflict with this Act.

Certified schedule.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That before any insurance company, whether incorporated by the laws of this State or not, shall transact any business of insurance in this State, except the business of Life, Plate Glass and Live Stock Insurance, through agents or otherwise, it shall file with the Commissioner of Insurance a certified copy of the charter or deed of settlement of the company, and a statement on the 31st day of December next preceding the day on which it shall apply for permisssion to transact business in this State, exhibiting the following facts and items in the following form, namely:

First—The amount of the capital stock of the company, and how much of the same has been paid up in cash.

Second—The property and assets held by the company, specifying:

1. The value and location of the real estate held by such company.

2. The amount of cash on hand and deposited in banks to the credit of the company, in what banks the same is deposited, and the amount in each.

3. The amount in the hands of agents and in course of transmission.

4. The amount of loans secured by bonds and mortgages or deeds of trust constituting the first lien on real estate on which there shall be less than one year's interest due or owing; the location and value of each piece of such real estate, and the amount loaned on each piece.

5. The amount of loans on which interest shall not have been paid within one year previous to such statement, and how secured.

6. The amount due the company on which judgments have been obtained, and the cash value thereof.

7. The amount of stocks and bonds of this State, or of the United States, or of any other stocks or bonds owned by the company or corporation, specifying the

amount, number of shares, and par and market value of each kind of stocks or bonds.

8. The amount of bonds, mortgages or stocks held as collateral security for loans, with the amount loaned on each kind of stock or bond, and par or market value.

9. The amount of interest actually due and unpaid.

10. The amount of interest accrued but not due.

11. The amount of all other assets of every description, and of what composed.

Third—The liabilities of such company, specifying:

1. The amount of losses due and unpaid, and how much thereof is to citizens of this State.

2. The amount of claims for losses resisted by the company, and how much thereof is to citizens of this State.

3. The amount of claims for losses incurred during the year, including those claimed and not due, and those reported to the company upon which no action has been taken, and how much thereof is to citizens of this State.

4. The amount of dividends declared and due, and remaining unpaid.

5. The amount of dividends declared and not due.

6. The amount of money borrowed and security given for payment thereof.

7. The amount required for re-insurance of outstanding policies, estimating the same at fifty per cent. of the premiums received on all policies having not more than one year to run, and a pro rata of all premiums received on risks having more than one year to run.

8. The amount of all claims against the company, and of what they consist.

Fourth—The income of the company during the year specifying:

1. The amount of premiums received, designating the amount receivable in this State.

2. The amount of interest money received.

3. The amount of income received from all sources, and from what the same was derived.

Fifth—The expenditures during the preceding year, specifying:

1. The amount of losses paid during the year, stating how much thereof to citizens of this State.

2. The amount of dividends paid during the year.

3. The amount paid in taxes and commission to agents.

4. The amount of all other payments and expenditures.

Which statement shall be subscribed under oath, by the President and Secretary, or other chief officers or managers of such company, and shall be renewed annually on the 31st day of December of each year thereafter, or within thirty days thereafter; and the said Commissioner is hereby authorized to propose such additional inquiries as may, in his judgment, be necessary to elicit a full exhibit of the business and standing of any insurance company as aforesaid; transacting or proposing to transact the business of insurance in this State. Every company, the capital of which is composed in whole or in part of notes shall, in addition to the foregoing, exhibit a list of the notes held by such company, as a part of its capital, showing the names of the makers and endorsers of each note. Any company failing or refusing to file such statement, or refusing to answer any inquiry of the Commissioner, shall be subject to a penalty of five hundred dollars, and an additional penalty of five hunndred dollars for every month thereafter that such company shall continue to transact any business of insurance.

Affidavit.

Notes.

Penalty.

SEC. 2. *Be it further enacted*, It shall not be lawful for any insurance company not organized under, or incorporated by the laws of this State, to transact any business of insurance in this State through agents, or otherwise, unless possessed of at least two hundred thousand dollars of paid up actual cash capital, of which at least one hundred thousand dollars shall be invested in bonds of the United States, or some one or more of the States, or other good securities, to be certified as such by the Insurance Commissioner of the State in which said company is organized, reckoning the same at their current market value; not until such company, in addition to the other requirements of this Act, shall have filed with the Commissioner of Insurance a written instrument, duly signed and sealed, authorizing said Commissioner to acknowledge service of process for and in behalf of such company in this State, consenting that service of process, *mesne* or final, upon such Commissioner, shall be taken and held as valid as if served upon the company according to the laws of this State, or any other State, and waiving all claim or writ of error by reason of such acknowledgment of service; and any process issued by any Court of Record in this State, and served upon such Commissioner by the proper officer of the county in which said Commissioner may have his office, shall be deemed a sufficient process on said company.

Capital stock.

Securities.

Legal process.

Certificates from other States.

SEC. 3. *Be it further enacted*, Before any company incorporated by or organized under the laws of any foreign government shall transact any business of insurance in this State, it shall file with the Commissioner of Insurance the certificate of the Comptroller, or other chief financial officer of some other State, or of the United States, under his hand and official seal, that he holds on deposit and in trust for the benefit of all the policy holders of such company in the United States, securities in which it is authorized to invest its capital stock by the laws of the State in which such deposit is made, worth at least two hundred thousand dollars, and which shall be increased in case of any depreciation in their value; *Provided*, that companies organized under the laws of any foreign government depositing the amount of securities aforesaid with the Treasurer of this State, who shall receive the same in his official capacity and producing and filing a certificate thereof in the manner provided by this section shall be held to have complied with the requirements of this section, if such certificate shall state that the aforesaid deposit is for the benefit and protection of its policy-holders in the United States.

$50,000 paid up.

SEC. 4. *Be it further enacted*, That from and after the passage of this Act, it shall not be lawful for any insurance company organized under or incorporated by the laws of this State to transact any business of insurance, through agents or otherwise, unless possessed of at least fifty thousand dollars paid up by actual cash capital. It being understood that this section does not apply to companies organized under the laws of this State, prior to the passage of this Act.

Examiners.

SEC. 5. *Be it further enacted*, Whenever the Commissioner of Insurance shall have reason to suspect the correctness of any statement furnished him, or that the affairs of any company doing business in this State, whether chartered by this State or not, are in unsound condition, it shall be his duty, by himself or his deputy, or whenever he shall deem it expedient so to do, at his option, to appoint one or more persons, not officers, agents or employes of any insurance company, who, before entering upon the discharge of the duty, shall take an oath to perform faithfully and impartially the business with which they are charged to examine into the affairs of such company; and it shall be the duty of the officers or agents of such company to cause their books to be opened for the inspection of the Commis-

Inspection.

sioner, or person or persons so appointed by him, and otherwise to facilitate such examination so far as it may be in their power to do so; and for that purpose the Commissioner, or person or persons so appointed by him, shall have the power to examine, under oath, the officers or agents of any such company relative to the business of said company, and whenever it shall appear to the satisfaction of the Commissioner that the assets of any such company are reduced more than twenty per cent. below the capital stock required by this Act, or its charter, after reserving fifty per cent. of the amount received for premiums on all risks which are unexpired, which are hereby declared unearned premiums, he shall revoke all authority to such company or its agents to do business in this State, and shall cause a notification thereof to be published in one or more newspapers of general circulation, and copies thereof to be mailed to each agent licensed by him to transact business for said company, and the agents for such company are, after such notice, required to discontinue the issuing of any new policies, or the renewal of any previously issued. The necessary expenses of such examination shall be certified to by the Commissioner and paid by the company examined.

Impaired assets.

Revocation published.

SEC. 6. *Be it further enacted,* That whenever any insurance company, as provided in section 1, shall have fully complied with all the requirements of this Act, and the Commissioner is satisfied that the affairs of such company are in a sound condition, he shall issue certificates of authority to such persons as such company may designate, authorizing them to transact the business of insurance for and in behalf of such company in this State, which certificate shall be renewed annually in January in each year.

Commissioner's certificate

SEC. 7. *Be it further enacted,* Any person who solicits insurance on behalf of any insurance company not organized under or incorporated by the laws of this State until such company has fully complied with all the requirements of this Act, and until such company has received from the Commissioner of Insurance in this State the certificate of authority to transact business of insurance in this State, or who takes or transmits other than for himself any application for insurance or any policy for insurance to or from such company, or who advertises or otherwise gives notice that he will receive or transmit the same, or who shall receive or deliver a policy of insurance of any such company, or who shall

Misdemeanor to solicit for company not licensed.

examine or inspect a risk, or receive, collect, or transmit any premium of insurance, or make or form any diagram of any building or buildings, or do or perform any other act or thing in the making or consummating of any contract of insurance with, for or any such insurance company other than for himself, or who shall examine into or adjust or aid in adjusting any loss for or on behalf of such insurance company, whether any such acts shall be done at the instance or request or by the employment of such insurance company, or of or by any broker or other person, shall be held guilty of a misdemeanor, and upon conviction by a court having jurisdiction, shall be fined not less than $50 nor more than $200, and shall be imprisioned in the county jail not less than five days nor more than ten days, or both, in the discretion of the court.

Penalty.

Agents to be licensed.

SEC. 7½. *Be it further enacted,* It shall not be lawful for any person or persons to act as agent or solicit risks or in any way, directly or indirectly, to transact the business of insurance for and in behalf of any company, whether organized under or incorporated by the laws of this State or not, without first obtaining a certificate of authority from the Commissioner of this State to do so, which certificate shall state that said company has fully complied with all the requirements of this Act applicable to such companies, and depositing a certified copy of such license in the office of the Clerk of the County in which the office or place of business of such agent or agents may be established, and whoever shall, directly or indirectly aid in transacting the insurance business of any such company without first receiving such certificate of authority, or having received such certificate of authority, shall, after receiving from such Commissioner notice of the revocation thereof, continue to act as an agent for any such company, shall forfeit and pay to the State for each offense the sum of one hundred dollars. Any person acting for himself or for others who solicits or procures policies or certificates for or from any company or association that has not complied with this Act, or who in any manner aids such transaction, shall be held guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than fifty, and shall be imprisoned in the county jail not less than ten days, or both, in the discretion of the court.

Misdemeanor to solicit.

Company defined.

SEC. 8. *Be it further enacted,* The term "Company" used in this Act shall embrace and include every company, corporation, association or partnership organized for the purpose of transacting the business of insurance other than life, plate-glass and live stock insurance.

Annual report.

Taxes.

Penalties for failure to report.

Tennessee companies.

SEC. 9. *Be it further enacted,* Each and every company organized for any of the purposes named in this Act, not incorporated by or organized under the laws of this State shall, on the 30th day of June and December in each year, report under oath to the President and Secretary or other chief officers of such company the total amount of premiums received from policies issued in this State within the six months next preceding, or since the last returns of such premiums were made by such company, and shall at the same time pay into the Treasury of the State the sum of two dollars and fifty cents upon each one hundred dollars of said premiums so ascertained, which shall be in lieu of all other taxes. And any company failing or neglecting to make such returns and payments promptly and correctly shall forfeit and pay to the State, in addition to the amount of said taxes, the sum of five hundred dollars, and the company so failing or neglecting for sixty days shall thereafter be debarred from transacting any business of insurance in this State until said taxes and penalty are fully paid, and the Commissioner of Insurance shall revoke the certificate of authority granted to the agent or agents of such companies to transact business in this State. Companies incorporated by this State shall, at the same time and in the same manner, pay one dollar and fifty cents on each one hundred dollars of premiums received on policies issued in this State, and be subject to the penalties provided for companies not chartered by this State.

Reciprocity.

SEC. 10. *Be it further enacted,* Whenever the existing or future laws of any other State of the United States shall require the insurance companies incorporated by or organized under the laws of this State, or of the agents thereof, any deposit of securities in such State for the protection of policy holders, or otherwise, greater than the amount required for similar purposes from similar companies of other States by the then existing laws of this State; then, in every such case, all companies of such States establishing, or having heretofore established, an agency or agencies in this State, shall be, and are hereby required to make the same deposit for a like purpose with the Treasurer of this State, and to pay into the Treasury of this State for taxes, fines, penalties, license fees, or otherwise, an amount equal to the amount of such charges and payments imposed by the laws of such State upon companies of this State and the agents thereof.

Licenses in force.

SEC. 11. *Be it further* enacted, That all companies which may have received license to transact business in this State prior to the passage of this Act, shall not be obliged to renew application until such license shall expire; but such companies shall be subject to examination at the discretion of the Commissioner.

Agents liable.

SEC. 12. *Be it further enacted*, That an agent or person shall be personally liable on all contracts of insurance unlawfully made, by or through him, directly or indirectly, for or in behalf of any company not authorized to do business in this State.

Agents' reports

SEC. 13. *Be it further enacted*, That it shall be the duty of every agent or person licensed by the Insurance Commissioner to make a report to said Commissioner semi-annually under oath, within ten days after the first of July and January, each year, showing the number of policies and amount thereof, and the company or companies in which said policies were written, together with the amount of premiums by him collected and reported to the company or companies he may be licensed to represent. If said agent willfully and fraudulently makes an incorrect return of said policies, premiums, etc., he shall be deemed guilty of perjury and, upon conviction, shall be punished as now provided by law for this offense. The Commissioner of Insurance, or deputy appointed by him, is hereby given authority to make personal examination of the books and records of said agents, at any time he may deem it expedient or necessary, and in case such agent or agents do not keep such record, or refuses to permit such examinations, it shall be the duty of the Commissioner to revoke the license of such agent, and notify the company, stating cause.

Companies doing more than class of insurance.

SEC. 14. *Be it further enacted*, That as this Act applies to all other than Life, Plate Glass, and Live Stock Insurance Companies, the Commissioner shall, when a company asking admission to the State desires to do more than one character or class of insurance, require said company to elect which class or kind of business it will write, and grant license to said company to do only that class or character of business; *provided, however*, if said company's capital stock and assets, when pro rated between the two or more classes of business the company desires to write, shall be sufficiently large, which, when divided by the number or classes of business which said company proposes to transact, to give to each character of business $200,000 capital stock, and $100,000 invested as the law requires of a company doing only one character of business, said Commissioner shall then grant license to said company to transact the several kinds of insurance desired and provided for by this Act.

Fees.

Sec. 15. *Be it further enacted,* Every company receiving from the Commissioner a certificate of authority to transact business in this State shall pay the following fees and allowances to the Commissioner:

For filing copy of charter or deed of settlement...	$ 5 00
For filing annual statement..........................	15 00
For filing an additional or supplemental statement	5 00
For each certificate of authority issued by him...	1 50
For each certified copy of certificate of authority.	1 50
For copies of any paper on file or deposit in this office per folio..	20
For affixing seal of office and certifying any paper.	1 00

Recovery of penalties.

Sec. 16. *Be it further enacted,* Every penalty provided for by this Act shall be sued for and recovered in the name of the State of Tennessee by the District Attorney of the district in which such delinquency occurs; and, when sued for by him, shall be paid into the State Treasury, less thirty per cent. to be paid him for his services; and, in case of the nonpayment of such penalties, the parties so offending shall be liable to imprisonment for a period not exceeding six months, in the discretion of any court having cognizance thereof.

Dividends.

Sec. 17. *Be it further enacted,* It shall not be lawful for the directors, trustees or managers of any insurance company incorporated by this State to make any dividend except from the surplus profits; there shall be reserved therefrom a sum equal to the whole re-insurance liability of said company, as provided for in section 1 of this Act. Any dividend made contrary to this Act shall subject the company making the same to forfeiture of its charter, and each stockholder receiving it to a liability to the creditors of such company to the extent of double the amount of dividend received.

Commissioner's report.

Sec. 18. *Be it further enacted,* It shall be the duty of the Commissioner of Insurance to publish annually, and as soon after the first day of January in each year as practicable, an itemized statement of the condition of each company, as provided for in section 1, doing business in this State.

Inquisitorial powers.

Sec. 18½. *Be it further enacted,* That inquisitorial power be and the same is hereby given the grand juries of this State to inquire into any violation of this Act, and present or indict such person or persons violating the same, and that the judges of the courts of this State, having proper jurisdiction, shall give this in charge to the grand juries of their respective courts.

Acts repealed. SEC. 19. *Be it further enacted,* That an Act passed March 12, 1873, entitled "An Act to regulate the business of foreign Fire and all other except Life Insurance Companies;" also sections 1, 2 and 3 of an Act to amend the revenue laws passed March 13, 1868; also section 4 of an Act to provide revenue, passed January 15, 1871, also ¶ 1, Chapter 1, of the Acts of 1883; also ¶ 6, section 13, of the Acts of 1889, in so far as the same give the Insurance Commissioner any compensation out of the taxes collected from any insurance company other than Life, Plate Glass and Live Stock Insurance Companies, and sections 1498 and 1507 of the Code, and all other laws or parts of laws heretofore passed which are in conflict with this Act, be and the same are hereby repealed.

SEC. 20. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it; that all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Passed February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 48.

AN ACT to set apart the first Monday in September of each and every year as a legal holiday, to be known as Labor Day.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the first Monday in September of each and every year be set apart as a legal holiday, to be known as Labor Day.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 11, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 49.

AN ACT to incorporate the City of Harriman, Roane County, Tennessee, and to establish a school district therein and support the same by taxation, and to provide for an election of officers for said city and school district, and to provide when the Act shall go into effect and for other purposes.

Be it enacted by the General Assembly of the State of Tennessee, as follows:

ARTICLE I.

CORPORATE NAME AND BOUNDARIES.

SECTION 1. That the inhabitants of the City of Harriman, in the county of Roane, and State of Tennessee, be and they are hereby constituted a body politic and corporate by the name and style of "The City of Harriman," and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded in all **Name.**

courts of law and equity, and may have and use a common seal, and alter the same at pleasure.

Boundaries.

Sec. 2. The corporate limits of the City of Harriman shall be as follows: Beginning at a stake on the line between Roane and Morgan Counties, situate at low-water mark on the north side of Emory River, and forty feet distant in a southerly direction from a black oak on said county line, which is the southeast corner of the Carter property; thence following the meanderings of Emory River to the mouth of Bullard's Branch to a stake at low-water wark; thence north thirty feet to a birch witnessed by a red oak and river birch; thence north thirty-eight degrees thirty minutes, west twenty-five hundred and forty-five feet to a walnut stump, old corner of Mayberry heirs; thence west fifty-two hundred and eighty feet to a corner-stone mounted on top on of Walden's Ridge witnessed by a black oak, chestnut and hickory (this corner is situated on the line between Roane and Morgan Counties); thence following the county line south twenty-nine hundred and twenty feet to a stake on the south side of the ridge; thence south eighty-five degrees, west five hundred and ninety-eight feet; thence south seventy degrees, west nine hundred and fifty-two feet to a stone monument corner on Wolf's Branch, one hundred and ninety-seven feet from the East Tennesse, Virginia & Georgia Railway Company's trestle; thence with Carter's line south six degrees, east five hundred and forty-five feet to the beginning, and the parks, public grounds, streets, avenues, alleys and other highways designated upon the plat of said city, filed by the East Tennessee Land Company in the Register's office of Roane County on the eleventh day of February, A. D. 1891, are hereby accepted on behalf of said city upon the terms, conditions and limitations named in the dedications and reservations written upon said plat so filed as aforesaid; *provided*, that nothing in said dedications or reservations, or in this section contained, shall be so construed as to prevent the City of Harriman from constructing in the streets, lanes, avenues and alleys of the city its own water-works, gas-works and electric light plants, or from acquiring by purchase or condemnation, for the use of the city, any such works and plants as are now or hereafter may be constructed in the said streets, lanes, avenues and alleys by any person or corporation.

Sec. 3. Whenever any territory within, abutting upon or near to the City of Harriman shall have been platted by the owner or owners thereof into streets, alleys, blocks and lots, conforming to and corresponding with the adjacent streets, alleys, blocks and lots, and a map thereof made showing also the adjoining blocks and lots in the city, and the connecting streets and alleys of the city, and the detailed topography of the platted territory, accompanied by a properly certified abstract of title to said territory, showing the title to be in the party or parties represented to be the owners of the land which it is desired to annex to the city, the City Council may, upon the petition of all such owners of said platted territory, by ordinance, upon such terms and conditions as it may deem for the best interests of the city, declare the same to be an addition to the City of Harriman, and from thenceforth such territory shall be and become a part of the said city and within the jurisdiction thereof as effectually as though the same had been annexed by act of the Legislature; *provided*, that this section shall not apply to any lands upon which any taxes assessed in any town or municipal corporation are due and unpaid, nor to the lands of any town or other municipal corporation having a funded debt.

Annexations.

SEC. 4. The City Council may divide the city into wards, not exceeding thirteen in number, and define their boundaries by ordinance, and may from time to time alter the same; *provided*, that no ward shall be changed within one year preceding the biennial election hereinafter provided for; *and provided further*, that at the first election held hereunder members of the Board of Aldermen shall be elected from the city at large.

Wards.

SEC. 5. The said city by the name and style aforesaid is hereby authorized to acquire and hold all real and personal property necessary for the public uses of the inhabitants thereof, both within and beyond the limits of the city, and when the same is no longer required for the public use to sell and convey the same, as may be provided by ordinance, and the City Council shall, by ordinance, make all needful rules and regulations for the use of such property.

Public property.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

SECTION 1. The legislative power of the City of Harriman shall be vested in the City Council consisting of a Board of Aldermen to be elected, one from each ward that may be established, and a Board of Supervisors,

City Council.

five in number, to be elected from the city at large; *provided*, that five members of the Board of Aldermen shall be elected at the first election hereunder from the city at large.

Qualification and terms of members.

SEC. 2. The members of the City Council shall be elected for two years. No person not a citizen of the United States and an inhabitant of the city or ward for which he shall be elected, and for at least one year a citizen of the State of the State of Tennessee and six months a resident of the City of Harriman, and at least twenty-one years of age, shall be eligible to the office of alderman or supervisor; *provided*, that no person who has any direct personal interest in any contract with the city, or any department or institution thereof, or who is indebted to the said city or county for any taxes, or who shall have been convicted of any malfeasance in office, bribery or any other corrupt practices, or shall be under charge of indictment therefor, made or procured by or under the direction of the Attorney-general of Roane County, shall be qualified to be elected to or shall hold the office of supervisor or Alderman; *provided further*, that at the first election to be held hereunder, as hereinafter provided, any citizen of the United State who has been a resident of the city for at least three months prior to said election, and not under any of the disabilities above mentioned, shall be eligible to the office of supervisor or alderman.

Compensation.

The salary of members of the City Council shall be such sum as shall be fixed by ordinance by the City Council immediately preceding the term of office for which the salary is fixed; *provided*, that the members of the first City Council elected hereunder, shall serve for the first year of their term without salary, and each member of the first City Council elected hereunder shall receive the sum of fifty dollars salary for the second year of his first term.

Presiding officers.

SEC. 3. Each Board of the City Council shall appoint one of its own members to preside, who will hold such position for one year and until his successor is elected and qualified. The official designation of the members so appointed shall be respectively, "President of the Board of Supervisors," and "President of the Board of Aldermen." Each board may also, in the temporary absence of the President, or his inability to perform the duties pertaining to the office, appoint a President, *pro tem*, who shall be temporality clothed with the powers and duties of the President. Each board shall be the sole judge of the qualification, election and returns of its own members, and shall have the power to determine the rules of its own proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds of all members elect expel a member. A majority of the members elect of each Board shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as each board may provide.

Members.

Quorum.

SEC. 4. A journal of the proceedings of each Board of the City Council shall be kept by the City Clerk, upon which shall be entered each vote taken in the Board by yeas and nays, and no action of either Board of the City Council, except to adjourn, shall have any force or vitality, unless a majority of all members elect shall have voted in favor thereof.

Record.

SEC. 5. Each board of the City Council shall hold a regular meeting once each month at the city hall, but the regular meeting of the two boards shall not be held the same week. Special meetings of the two boards shall not be held upon the same day or date. Until otherwise provided by ordinance the regular meeting of the Board of Supervisors shall be on the first Monday in each month, and the regular meeting of the Board of Aldermen shall be on the second Tuesday succeeding the said first Monday in each month.

City Council meetings.

SEC. 6. If a member of either board shall be absent from any regular meeting without leave he shall forfeit and pay such sum as the board of which he is a member shall direct for every such absence, and the journal record of the roll call shall be conclusive upon the question of presence or absence.

Abscence fro meetings.

SEC. 7. The style of the city ordinance shall be: "Be it enacted by the City Council of the City of Harriman."

Ordinances.

SEC. 8. All ordinances shall, within ten days after they have been passed by the City Council, be published in some newspaper printed the City of Harriman, and of general circulation, and no ordinance shall be enforced until such publication has been made.

SEC. 9. No ordinance shall be passed except by bill. Bills may originate in either board, and may be amended or rejected by the other board. Every bill shall be read at least once in full in each board before a vote is taken on its final passage. No bill shall be considered until the same shall have been reported upon by a committee,

Passage of ordinances.

unless the board, by a vote of two-thirds of all the members present shall dispense with such reference and report.

SEC. 10. No bill introduced in either board of the City Council and passed thereon shall be acted upon by the other board until at least two days after its passage by the board in which it originated.

Reconsideration.

SEC. 11. When a bill is put upon its final passage in either board, and fails to pass, if a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the board proceeds to any other business.

Amendments.

SEC. 12. If a bill shall be amended and passed, it shall be returned with the amendments to the board in which it originated, and vote shall be taken upon the bill as amended, but no other amendment shall be made after it has been returned. All amendments adopted by either board to a bill pending or originating in the same, shall be incorporated with the bill by engrossment under the supervision of the President. It shall then be delivered to the President of the board for its action, and may be further amended or rejected by that board. No bill shall become an ordinance until the same shall have been signed by the presiding officer of each board.

SEC. 13. No ordinance shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length as if it were an original ordinance.

Mayor's approval.

Vetoes.

SEC. 14. Every resolution adopted or contract approved by the City Council appropriating or involving the expenditure of money, and every bill passed shall, within twenty-four hours after the action of the City Council, be presented to the Mayor for his approval. If he approve the resolution, contract or bill, as the case may be, he shall sign the same; if not, he shall return it, with his objections, in writing, to the City Clerk, who shall present the same to the board in which it originated, at the next regular meeting thereof. Each bill, contract or resolution shall stand as reconsidered in the board to which it is returned. The board shall cause the objections of the Mayor to be entered at large upon the journal, and proceed forthwith to consider the questions pending, which shall be in this form: "Shall the bill, contract or resolution, as the case may be, pass, notwithstanding the objections of the Mayor thereto?" If two-thirds of all the members elected vote in the affirmative, the President shall certify the fact on the bill, attesting the same by his signature, and send the bill, contract or resolution, with the objections of the Mayor, to the other board, in which like proceedings shall be had in relation thereto; and if the bill, contract or resolution receive a like majority of all the members elected to that board, the presiding officer shall, in like manner, certify the fact upon the bill. The bill or resolution thus certified shall be deposited in the office of the City Clerk as an authentic Act, and shall be valid, or become an ordinance in the same manner and with like effect as if it had received the approval of the Mayor. If the Mayor shall fail for five days to return to the board in which it originated, any bill, contract or resolution presented to him for his approval as aforesaid, the same shall become thereafter a valid ordinance or act, contract or resolution, as the case may be, in like manner as if it had been approved by him.

Special sessions.

SEC. 15. The Mayor may call, or upon the application of a majority of either board shall call, special sessions of the boards of the City Council or a joint convention of the boards, by causing proper notices in writing to be served upon the members thereof. A copy of the notice thus served upon the members shall be entered upon the journal of the Board of Joint Convention. Said notice shall state the object for which such session is called, and the action at each session shall be confined to the objects stated.

Banks of Emory River.

SEC. 16. For the purpose of protecting the bridges and thoroughfares of the city and lessening the danger of disastrous destruction of property by reason of floods and high water, the City Council is hereby authorized to cause the banks and channels of the Emory River to be improved, and to cause docks, embankments, levees or breakwaters to be constructed, so as to confine the waters of said stream between the banks, and may prevent and remove obstructions therefrom; and to this end the city may acquire the title to any lands in the channel of said stream or upon the banks thereof, either by purchase or condemnation proceedings.

Protecting water.

SEC. 17. It shall be unlawful for any person to deposit in the channel of the Emory River, within or opposite the city, any unwholesome matter or substance whatever tending to the defilement of the waters of said stream, and the City Council is hereby authorized to provide by ordinance for the patrol of said Emory River within said city and for the punishment of offenders against the provisions of this section.

Offenders.

SEC. 18. The City Council is hereby authorized to provide for the punishment of all offenders against the ordinances of the city by imprisonment, not exceeding ninety days, in cases where said offenders shall fail or refuse to pay the fines and forfeitures which may be recovered against them; and also to provide by ordinance for all persons so fined to work out said fines and costs on the streets of the city, or in such other way and manner as it may prescribe. All fines and forfeitures collected for offenses committed or penalties incurred against said ordinances shall be paid into the treasury of the city by the officers collecting the same, and be disposed of as a part of the general revenue of the city.

Dangerous structures.

SEC. 19. Whenever, in the opinion of the City Council, any building, fence or other structure of any kind, or any part thereof, is liable to fall down and endanger persons or property, or where any builing or other structure has been erected or allowed to remain in any locality contrary to ordinance, it may, by joint resolution of both boards, order any owner or occupant of the premises on which said building or other structure stands to take down or remove the same within the time prescribed by such joint resolution, a copy of which resolution shall be served upon said owner or occupant, and if such owner or occupant shall neglect or refuse to take down or remove the same within the time prescribed by such resolution then the City Council shall cause such building, fence or other structure to be taken down or removed by and under the direction of the City Marshal, and assess the expense thereof on the land on which it stood. The city may collect such expense in the method prescribed by the general laws of the State for the collection of delinquent and unpaid taxes.

Powers of the City Council.

SEC. 20. The City Council shall have the management and control of the city finances and all property of the corporation, real, personal and mixed, and shall have power by ordinance:

1. To establish a system of sewerage.

2. To appropriate money and provide for the payment of the debts and expenses of the city.

3. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve and keep in repair streets, avenues, lanes and alleys, sidewalks, drains and sewers, and to provide for the planting and protection of shade trees upon the streets, avenues and parks or other public grounds, and to regulate the same.

4. To establish, erect, and keep in repair bridges, ferries, and wharves.

5. To provide for the appointment of an inspector of buildings and elevators and an inspector of steam boilers, and define their powers and duties.

6. To divide and redivide the city into wards, not exceeding thirteen in number, and alter the boundaries thereof for the purpose of equalizing the population of the several wards; subject, however, to the limitations contained in section 4, article I., of this Act.

7. To provide for lighting the streets and public grounds by gas and electricity, and erecting lamp posts, electric towers or other apparatus.

8. To provide for the erection of market-houses, establishing markets, and market places, and the government and regulation thereof.

9. To provide all needful buildings for the use of the city.

10. To provide for inclosing, improving and regulating all public grounds belonging to the city.

Privileges.

11. To license, regulate and tax any and all lawful occupations, privileges, business places, amusements, places of amusement, declared to be privileges by the State, and to fix the rate of charges for the carriage of persons and property within the city by licensed hackmen, omnibusmen, carriagemen, draymen and expressmen, and street railway companies.

Billiard tables and liquor.

12. Exclusively to license and regulate billiard tables, bowling alleys, and other places of public resort; and to restrain and regulate the selling or giving away of intoxicating, spiritous, vinous, malt or mixed liquors within the city; *provided*, that it shall be unlawful for any person to sell or tipple any intoxicating liquors, including wine, ale, and beer as a beverage in the City of Harriman within one mile of any school-house, public or private, where a school is kept, whether the school be in session or not, or within one mile of a church or building in which people usually congregate for religious worship, or within one thousand (1,000) feet of any dwelling-house occupied by a family, and the City Council is authorized to make ordinances for the punishment of any violation of the provisions of this section.

Immoral publications and resorts.

13. To prohibit and suppress the sale or distribution of obscene books, papers, prints and pictures, the posting of obscene pictures, prints or advertisement, dance-houses, opium-joints, gaming, gambling-houses, dealing in lottery tickets, prize fighting, cock-figting, dog-fight-

ing, bawdy-houses, disorderly houses, houses of ill-fame or assignation, or any place of resort for the practice of lewdness or fornication, or notoriously reputed to be such, whether kept by one or more persons, and to destroy instruments of gambling.

Combustibles.

14. To regulate the storage of illuminating oils, high explosives, gunpowder, tar, pitch, resin or other explosives or combustible materials, and regulate or prohibit the use of firearms.

Walls, fences and animals.

15. To regulate parapet and partition walls and partition fences, and to restrain cattle, hogs, horses, sheep, dogs, fowls, and all other animals from running at large, and to prohibit the erection and maintenance of barb-wire fence within the city limits, and to authorize the summary sale or other disposition of horses, cattle, sheep, hogs, dogs, fowls, and other animals found running at large within the city.

16. To provide for the inspection and weighing of hay, mineral and coal, measurement of charcoal, firewood and other fuel to be sold and used within the city.

17. To provide for the enumeration of the inhabitants of the city.

Fire-places, etc

18. To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers and apparatus, and to cause the same to be removed or placed in a safe and secure condition, when considered dangerous.

19. To prevent the deposit of ashes and cinders in improper places.

20. To regulate or prevent the use of fireworks, and to regulate or prevent the carrying on of manufactories dangerous in causing or promoting fires.

Fire escapes.

21. To compel the owners and occupants of houses and other buildings to have scuttles in the roofs, and stairs or ladders leading to the same; and to compel the owers or occupants of all buildings over two stories in height to provide fire escapes and standpipes with iron ladders and platforms in connection therewith.

Conflagrations.

22. To authorize the Mayor, City Engineer, police and other officers of said city to keep away from the vicinity of any fires all idle and suspicious persons, and to compel the officers of said city and other persons to aid in the extinguishment of fires and in the preservation of property thereat.

Doors and stairways.

23. To regulate the size, number and manner of construction of the doors and stairways of theaters, tenement houses, audience rooms and all buildings used for

the gathering of a large number of people, whether now built or hereafter to be built, so that there may be convenient, safe and speedy exit in case of fire.

24. To establish fire limits and such general regulations by ordinance for the prevention and extinguishment of fires as the City Council may deem expedient.

Fire department.

25. To fix the number and compensation of all firemen and employes and members of the fire department, except as otherwise provided by this Act, and to prescribe their respective duties and fix penalties for the violation thereof; to provide for the care and management of engines, apparatus and implements for the extinguishment of fires, and to procure steam fire engines and other apparatus suitable for extinguishing fires.

26. To require the construction of suitable fire escapes on or in hotels, lodging-houses, and other public buildings, and suitable appliances for the extinguishment of fires therein.

Poll tax.

27. To levy and collect a poll tax annually not exceeding one dollar upon every male person over twenty-one and under fifty years of age, who shall have resided three months within the city.

Streets and alleys.

28. To remove all obstructions from the streets, lanes, avenues, alleys, sidewalks and curbstones within the city, and prevent and remove all encroachments into or upon all or any streets, lanes, avenues or alleys within the city, established by law or ordinance.

Cemeteries.

29. To make such rules and regulations with regard to the improvement, preservation, laying out, and ornamenting any ground for a cemetery or cemeteries owned by the city, and for the sale of burial places or lots for the interment of the dead therein as it may deem proper.

30. To prevent or regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams or horses.

31. To compel all persons to keep the snow, ice and dirt from the sidewalk in front of the premises occupied by them, and if not occupied, then to compel the same to be done by the owners or their agents.

Street noises.

32. To prevent or regulate the ringing of bells, blowing of horns, crying of goods, and all other noises, performances and devises tending to the collection of persons on the streets or sidewalks, by auctioneers or others, for the purpose of business, amusement or otherwise.

33. To regulate the burial of the dead, the registra-

Burials. tion of births and deaths, to direct the keeping and returning of bills of mortality, and impose penalties on physicians, sextons and others for any default in the premises.

34. To regulate the running of horse railway cars, or cars propelled by dummy engines, cable or electricity, the laying down tracks for the same, the transportation of passengers thereon, and the form and kind of rail to be used; and to require railway companies using streets to lay their tracks at the official grade thereof, and to require them to bring such streets between the sidewalks to the official grade at their own expense; and to compel them to pave and keep in repair the streets between their tracks and for a distance of two feet upon each side of the same. Street railways.

35. To provide for the inspection and storage of petroleum and other mineral oils.

36. To regulate the use of locomotive engines; to direct and control the location of cable and other railroad tracks, and to require the railroad companies to construct, at their own expense, such bridges and approaches, tunnels or other conveniences at public crossings, and such viaducts and their approaches over their tracks, where the same cross or extend along public highways or streets, and to put such streets in such condition and state of repair as not to interfere with the free and proper use of such street or crossing, as the City Council may deem necessary; and where a viaduct or viaducts cross the tracks of several railroad companies, to compel them to build their portion of a continuous viaduct or viaducts over said track with their approaches; and to regulate the rates of speed of all railroad trains within the city limits, and their stops at street crossings. Railroads.

37. To erect and maintain a work-house and house of correction and provide for the regulation and government thereof.

38. To prevent and restrain riot, noise, disturbances or disorderly assemblages in any street, house or place within the city, breaches of the peace, fighting or disorderly conduct.

39. To prevent horse racing and fast driving in the streets and to authorize persons immoderately riding or driving to be stopped by any person; and to punish or prohibit the abuse of animals; to compel persons to fasten their horses, oxen or other animals attached to vehicles or otherwise, while standing or remaining in the street. Fast driving.

40. To regulate and license or prohibit butchers, and to revoke their license for malconduct in the course of trade, and to regulate, license and restrain the sale of fresh meats, fish and vegetables and food products.

Food.

41. To provide for sprinkling the streets, avenues and public grounds.

42. To control, regulate and prohibit the use of steam whistles.

43. To provide the city with water; to erect hydrants and pumps; to construct cisterns and reservoirs; to lay pipes for conducting and distributing the water over the city; to keep the same in repair; to acquire and own stock in any water company organized for the purpose of supplying said city with water for domestic, irrigating, mechanical and other purposes; to build and construct reservoirs for the storage of water; to lay pipes, canals and conduits for the purpose of bringing water from streams and reservoirs into the city for the use of the inhabitants thereof in such way and manner as shall be deemed for the best interest of the city, and to keep the same in repair; to acquire by purchase or condemnation proceedings, under the general laws of this State, water rights and sites for parks and public buildings of the city, or between the city and the source from which the water is to be taken; and to such condemnation proceedings the possession of franchise by any person or corporation shall be no bar upon the legal compensation being paid; to construct or purchase water-works for the use of the city, and to enlarge their capacity from time to time and to keep the same in repair, and generally to do whatever may be needful and necessary to be done, by contracting with water companies or otherwise, in order to supply the city with water for fire, irrigating, domestic, mechanical and other purposes, and to regulate the same and to fix the prices to be charged private consumers therefor.

Water.

44. To establish and enforce quarantine laws and regulations and to enforce the same within the city and within one mile thereof; to prevent the introduction and spreading of contagious diseases; to establish and regulate hospitals and secure the general health of the inhabitants by any means necessary; to provide for the erection, management and regulation of slaughter-houses; to prevent or regulate the driving of stock through the city; prohibit the erection of soap factories, stock yards and slaughter-houses, pig pens, cow stables and dairies, coal oil and vitriol factories within prescribed limits, and to

Sanitation.

remove and regulate the same; to regulate or prevent the carrying on of any business which may be dangerous or detrimental to public health, or the manufacture or vending of articles obnoxious to the health of the inhabitants; and to declare, prevent or abate nuisances on public or private property and the cause thereof.

Charities.

45. To aid and foster by all lawful measures the associated or other charities of the City of Harriman by appropriations and granting the use of such room or rooms in the city buildings as the City Council shall deem proper.

General welfare.

SEC. 21. The City Council shall have power to make all ordinances which shall be necessary and proper for carrying into execution the powers specified in this Act, and to make all ordinances which it may deem necessary or requisite for the good order, health, good government and general welfare of the city, and also for the protection and preservation of any city property, privileges and franchises, and to enforce the same by a proper fine, imprisonment or other penalties.

Clerks.

SEC. 22. The City Council shall have power to provide for the employment of such clerks and other persons in any of the departments of the city government as the exigencies of the public service may demand.

Franchises limited.

SEC. 23. All franchises or privileges granted by the City of Harriman to corporations or individuals shall be limited to twenty years from the granting of the same, and such franchises or privileges so granted shall plainly specify on what particular streets, alleys or avenues the same shall apply, and no franchises or privileges shall be granted by the City of Harriman in general terms or to apply to the city generally; *provided, however*, that franchises and privileges may be granted to Gas, Water and Electric Light Companies in general terms and for a period longer than twenty years, in the discretion of the City Council.

ARTICLE III.

EXECUTIVE DEPARTMENT.

City officers.

SECTION 1. The executive power of the city shall be vested in a Mayor, together with a City Treasurer, Judge of the City Court, Marshal, City Clerk, City Assessor, City Engineer and City Attorney, each of whom, except the Clerk, Marshal and city engineer, shall be elected by the qualified electors of the city, and hold their office of two years. The City Clerk and City Engineer shall be elected by a majority vote of the

Supervisors and Aldermen in joint session, and in case of a tie the Mayor shall have the casting vote. The Marshal shall be chosen as hereinafter provided.

Mayor.

SEC. 2. The Mayor shall be the chief executive officer of the city; shall be at least twenty-five years of age, a citizen of the United States and of the State of Tennessee, and a qualified voter at the time of his election, and an inhabitant and citizen of the city for at least one year next before the day of his election; *provided*, that such resident qualification shall not apply to the first Mayor to be elected hereunder.

Duties of Mayor.

SEC. 3. The Mayor shall, from time to time, give the City Council information relative to the condition of the corporation, and shall recommend to its consideration such measures as he may deem expedient for the interest of the city. He shall take care that the laws of the State and the ordinances of the city are respected and enforced within the city, and may remit, either wholly or in part, fines, costs, forfeitures, and penalties imposed for the violation of any ordinance, but shall make a report of such remissions to each Board of the City Council at the next session thereof, together with his reasons therefor. He shall have power to appoint experts to examine the affairs of any department or departments of the city whenever he shall deem it necessary, and shall preside at all joint conventions of the two boards of the City Councils.

SEC. 4. In all cases of the examination of charges against any officer or employe of the city, or at the trial of any officer before the City Council, in joint convention assembled, the presiding officer shall have power to administer oaths and to subpœna and compel the attendance of witnesses and the production of books and papers.

Emergencies.

SEC. 5. The Mayor is hereby empowered to call upon every male inhabitant of the city over the age of eighteen years, to aid in enforcing the laws and ordinances, in preventing and extinguishing fires; in preserving the peace and safety of the city. Any male inhabitant of the city over the age of eighteen years, who shall be called upon by the Mayor for any of the purposes stated in this section, and shall refuse or willfully neglect to obey such call or order, shall, on conviction thereof, be fined in a sum of not less than five dollars nor more than one hundred dollars.

SEC. 6. The Mayor shall have power, whenever he shall deem it necessary, to require any officer of the city to exhibit his books and papers, and refusal by any officer when so required to exhibit the books and papers of his office shall be deemed a forfeiture and abandonment of said office.

SEC. 7. The Mayor shall have power, and it is hereby made his duty, to perform all acts that may be required of him by any ordinance duly enacted.

Veto power.

SEC. 8. In the exercise of the veto power conferred by this Act upon the Mayor he may veto the entire annual appropriation ordinance, or any separate appropriation in the same. If only certain items of the appropriation are vetoed before the said items can become a valid appropriation, the like proceedings shall be held in each board of the City Council as are described in Article II., Section 14.

Removals.

SEC. 9. Any appointed officer may be removed for cause by vote of two-thirds of all the members elect of the City Council in joint convention assembled. Whenever a vacancy shall occur in any appointed office the Mayor shall, with the consent of a majority of the members elect of the Board of Supervisors, appoint a person to fill such vacancy.

Mayor pro tem.

SEC. 10. In case of a vacancy in the office of Mayor, or in case the Mayor shall, for any reason, be temporarily unable to perform the duties of the office, the President of the Board of Supervisors shall act as Mayor, and in case the latter shall be absent from the city, or from any other reason cannot act, then the President of the Board of Aldermen shall be acting Mayor; and the acting Mayor shall, if he serves as such for more than ten successive days, be entitled to the same amount of salary as the Mayor received for such length of time.

SEC. 11. The term officer or officers whenever used in this Act shall include any persons holding any situation in or under the city government or its departments for a prescribed and defined term.

SEC. 12. All bonds, contracts and other instruments requiring the assent of the city shall be signed by the Mayor or acting Mayor, and all legal process against the city shall be served upon the Mayor or acting Mayor.

Pay of Mayor.

SEC. 13. The first Mayor elected hereunder shall serve the first year of his term without compensation, and shall receive one hundred dollars salary for the second year of his term. Thereafter the Mayor shall receive such salary as the City Council immediately preceding his election shall fix by ordinance. In case of a vacancy in the office of Mayor the acting Mayor shall be entitled to salary for the time he serves at the same rate as the Mayor would have received, but shall receive no salary as a member of the City Council while he serves as Mayor.

Treasurer.

SEC. 14. It shall be the duty of the City Treasurer to receive, receipt for and keep the money of the city, and pay out the same only on warrants drawn by order of the City Council, signed by the Mayor, registered and attested by the City Clerk under the seal of the corporation.

SEC. 15. Every officer or agent of the city, or other person who shall receive or have in his hands any money belonging to the city, shall immediately pay the same over to the City Treasurer and take his receipt therefor in duplicate, one of which receipts shall be delivered to the City Clerk by the party paying over the money. For every failure to pay over moneys to the City Treasurer, or to deliver the Treasurer's receipt therefor to the City Clerk, for more than forty-eight hours after the moneys shall have been received by such officer, agent or other person, or as provided by city ordinance, such officer, agent or other person shall forfeit to the city double the amount of money not paid over as herein specified.

Licenses.

SEC. 16. The City Treasurer is hereby authorized to issue all licenses and permits which may be granted by the City Council, in pursuance of this Act, upon payment to him of the amount of the license or permit fee, or tax, as fixed by law or ordinance. Upon the receipt by the Treasurer of any such license or permit fee, or tax, the Treasurer shall make and deliver to the person paying the same, with license or permit, duplicate receipts for the money, specifying the amount and date of payment, the person by whom paid, and what the sum was paid for, one of which the said person shall deposit with the City Clerk; and no license or permit issued by the Treasurer shall be valid or of any effect until the said receipt shall have been delivered to the City Clerk, who shall receipt for the same on the back of said license.

Depository.

SEC. 17. The City Treasurer shall annually select, with the approval of the Mayor and City Clerk, a bank or banking institution in the City of Harriman, which will pay the highest rate of interest for the average current deposit of the city's funds; *provided, however*, that before any deposit shall be made by the City Treasurer in any such bank or banking institution, the said bank or banking institution shall give a bond in the sum of ten thousand dollars, or in such greater sum as the City Council may require, payable to the City of Harriman, with good and sufficient sureties, to be approved by the Mayor and City Clerk, for the safe keeping and prompt payment of said funds or any part thereof when demanded by the City Treasurer; and no amount which may be due any such bank on account of any warrant, bond, bill or other evidence of city indebtedness shall be accepted by the Treasurer as an offest against such deposit with such bank; *and provided further*, that a quarterly statement under oath shall be made to the City Council by the President or Cashier of such bank, showing the amount of interest, money or other consideration paid or to be paid by said bank for the use of the city funds in such bank, together with the name or names of the party or parties to whom it has been or is to be paid. If said President or Cashier, after demand so to do upon him in writing made, shall fail to report as provided by this section, he shall forfeit and pay to the city the sum of five hundred dollars for each such failure.

Treasurer's reports.

SEC. 18. At the beginning of each calendar month the City Treasurer shall report to the City Council the transactions of the Treasurer's office during the previous month, which shall show the amount of money received and from whom and on what account, and also a list of city warrants, bonds and orders which have been redeemed by him or paid into the Treasury as money due the city, which said warrants, bonds and orders shall accompany the report for cancellation. He shall also make an annual report of the transactions of his office on the first day of January in each year, and from time to time such other reports as may be required by the City Council. If the City Treasurer shall fail to report as provided by this section he shall forfeit and pay to the city the sum of five hundred dollars for each such failure.

Treasurer's bond.

SEC. 19. The City Treasurer shall give bond to the city, with sufficient sureties, to be approved by the City Council, in the sum of ten thousand dollars, or for such additional sum as the City Council shall require, conditioned for the faithful performance of the duties of his office, and to pay over to his successor in office all such sums of money belonging to the city as shall be in his hands, and to account for and turn over to such successor all city proprerty which may come into his hands.

Custody of city's property.

SEC. 20. The City Treasurer shall be the custodian of all the property, both real and personal, belonging to the city. He shall render to the City Clerk a complete list of the same on or before the first day of January of each year. He shall for and on behalf of the city, purchase all furniture, books, stationery, tools, materials and supplies, and all things necessary, for the use of the several departments, offices and employes of the city. In order to effect such purchases, said City Treasurer shall, as often as once in each year, advertise in one of the daily papers of the city, for a period of ten consecutive days, for sealed proposals, to be made at a time to be specified in the advertisement, for the furnishing of the furniture, books, stationery, tools, materials and supplies which may be required by said city; at the time specified in said notice said bids shall be opened by the City Treasurer in the presence of the Mayor, the President of the Board of Supervisors and the City Clerk, and the contracts for the furnishing of the furniture, books, stationery, tools, materials and supplies shall be awarded to the lowest bidders, estimating the bids in detail, and awarding to the respective bidders a contract for the articles only whereon the bid is lower than all other bids offered upon the same article. The aforesaid purchase shall be made only upon a requisition signed by the head of the department of the office requiring the article to be purchased, particularly specifying the article required, and approved by the Mayor and the President of the Board of Supervisors. It shall be the duty of the City Treasurer to make monthly reports in detail, to the City Council, of all purchases made by him, for what price, and upon whose requisition.

Purchases.

Provided, however, that when it may be impracticable to advertise for supplies, furniture, books, tools, stationery, materials or labor, then sealed proposals for the same shall be invited from three responsible parties dealing in such materials, supplies or labor, and the bids shall be opened and the contracts awarded in the same manner as hereinbefore provided in this section. All bids shall be in duplicate, one copy to be filed with the Treasurer, and one with the Clerk.

And provided, further, that said officers may reject any and all bids so made, if they deem them unreasonable or too high.

Payable warrants.

SEC. 21. No money shall be paid out by the City Treasurer for any purpose excepting upon warrants drawn upon him by order of the City Council, and signed by the Mayor, countersigned and registered and attested by the Clerk; and every such warrant shall show on its face the date of its issue, the date of the order of the City Council, to whom and for what purpose issued and from what fund payable, and all city warrants shall be payable on demand. No warrant shall be issued for a sum greater than is actually due to the person in whose favor it shall be drawn; nor shall any city warrant draw a greater rate of interest than six (6) per cent. per annum.

SEC. 22. The City Treasurer shall receive such salary as shall be fixed by the City Council.

City Clerk.

SEC. 23. The City Clerk shall be the general accountant of the city, and as such it shall be his duty to receive and preserve in his office all accounts, books, vouchers, documents and papers relating to the accounts and contracts of the city, its debts, revenues and other fiscal affairs. It shall be his duty to prescribe the mode of keeping, dating and rendering all accounts, unless otherwise provided in this Act, between the city and any person or body corporate; he shall countersign and register all warrants drawn upon the Treasurer for all appropriations and moneys ordered paid by the City Council; he shall keep a true and accurate account of the revenues, receipts and expenditures of the city, and with the City Treasurer, and the different funds of the city; he shall from the tax rolls compute the revenue due the city for each year, and shall make such reports, estimates and statements as may be from time to time required of him by the City Council; he shall see that all proper rules and regulations are prescribed and observed in relation to all accounts, settlements and reports regulating the fiscal affairs of the city; that no appropriations or funds are overdrawn or misapplied; that no liability is incurred, or money or property of the city disbursed or disposed of contrary to law or ordinance; he is especially charged with the preservation of the credit and faith of the city in relation to its debt; he shall, at the first meeting of the City Council in each year, certify to the Mayor the amount of money to be raised by taxation for the payment of the bonds and coupons maturing during that year, discriminating between the general bonds of the city and the coupons thereon, and each series and class of bonds and the coupons thereon; he shall publish quarterly, in brief, the financial condition of the city, and shall make semi-annual reports on the first Monday of January and July of the financial condition of the city; he shall provide and keep in his office reliable and complete tables of the finances, assets and liabilities of the city, of all contracts, names of contractors, names of employes, in such manner as to show the departments in which they are employed, and their respective salaries, powers and duties, and how appointed; he shall administer oaths and require all claims, settlements, returns and reports made to him to be verified; he shall countersign and register all licenses and contracts; he shall furnish all officers and clerks with blank licenses, permits and receipts, and they shall account to him for the same, and the clerks shall compare and check their proper issue once each month.

Records and seal.

SEC. 24. The City Clerk, in addition to the duties hereinbefore provided, shall attend all meetings of each Board of the City Council, and of the joint convention thereof, and keep a true, full and complete record of the proceedings of such meetings. The City Clerk shall have the custody of the city seal, the public records, the original rolls of ordinances of the City Council, all original contracts, deeds, and certificates relative to the title of any property of the city, all official, indemnity or security bonds, except his own bond, and such other records, papers and documents of value as are not required to be deposited with any other officer; he shall attest all public instruments or official acts of the Mayor by his signature and the seal of the city, and shall also certify under his hand and the seal of the city all copies of such original documents, records and papers in his office as may be required by any officer or person, and charge therefor to individuals such fees, for the use of the city, as may be provided by ordinance.

Certified copies

SEC. 25. Copies of all papers filed in the office of the City Clerk and transcripts of the records of either Board of the City Council, or the joint convention thereof, duly certified by him under the corporate seal of the city, shall be received as evidence in all the courts of this State. The City Clerk shall perform such other duties not inconsistent with the duties imposed by this Act, as the City Council may by ordinance direct.

Bonds and warrants redeemed.

SEC. 26. When any of the bonds or city warrants shall be paid off and redeemed, and after such redemption or payment shall have been reported to the City Council, it shall be the duty of the Clerk to certify the same, with the number and amounts thereof, to the Mayor, whereupon the Mayor and City Clerk shall together examine said bonds and warrants so redeemed or paid; and, if found to be genuine and correct, shall take the numbers, dates, series and amounts thereof, and then, having made an abstract thereof, shall mark on the face of each the word "canceled," or "paid," and shall deposit the same with the City Clerk and make certificate thereof to the City Council, which shall be spread at length upon the journals thereof. The same officers shall, in the same manner, annually or semi-annually, as by ordinance may be required, examine, mark, deposit, and cerify all coupons paid by the city.

SEC. 27. The City Clerk shall require all bills against the city to be rendered in items and verified by the oath of the claimant or some person in his behalf, and no warrant shall be drawn except for service actually rendered or for money actually due.

SEC. 28. There shall be an auditing committee composed of the City Clerk and a member from each Board of the City Council, and every claim against the city shall be passed upon by said committee before the same shall be ordered paid.

Quarterly reports.

SEC. 29. The City Treasurer and all officers charged with the collection or custody of money, shall on the second Monday in January, April, July, and October in each year, make to the City Council and Clerk a full and detailed statement, under oath, of all their accounts, which shall show all money received from whatever source, and from whom and what for; and all moneys paid, to whom and when, and for what purpose. The City Clerk shall, during the months of January and July, make a like statement of all receipts and expenditures, a summary of which statement shall be published in the newspaper at that time doing the city printing, and if there be no newspaper designated for that purpose, then in such paper published within the city as the Mayor may direct. The statement made by the City Clerk shall exhibit in full the resources and liabilities of the city, together with the amount of revenue collected from all sources during the preceding six months, the amount expended by the city on all accounts during the same period, and such further particulars as shall be prescribed by ordinance; and for any refusal, neglect or failure to make the report or publish a summary thereof, at the time and in the manner herein prescribed, such officer so failing or refusing, and the sureties on the official bond, shall forfeit and pay to the City of Harriman the sum of five hundred dollars, and the Mayor shall cause to be instituted and prosecute to final judgment, an action, in the name of the city, against such delinquent officer or officers, and his or their sureties for the same; but such recovery shall not be construed as a bar against other recoveries on such official bond for any other default, neglect or delinquency of such officer.

SEC. 30. The City Clerk shall receive such salary as may be provided by ordinance.

SEC. 31. The City Engineer shall inspect and pass upon the construction of all public works by the city, and shall make out plans, specifications and estimates thereof; he shall do the surveying and engineering ordered by the city, and perform such other duties, not inconsistent with the duties imposed by this Act, as the City Council may by ordinance require; he shall appoint such assistants as may be by ordinance allowed, and shall be responsible for their acts; he shall preserve all plans, maps, notes, surveys, books, papers and documents pertaining to his office, made by him or in his charge, and deliver the same to his successor in office.

City Engineer.

SEC. 32. The City Engineer shall receive such salary as may by ordinance be provided, payable in equal monthly installments out of the city treasury.

SEC. 33. It shall be the duty of the City Attorney to attend to all cases in any court in this State wherein the city may be a party, plaintiff or defendant, or a party in interest; to advise either board of the City Council, or any committee thereof, in writing, when required, as to all legal questions that may arise before them; to advise the Mayor, and through him all other officers, in relation to their duties, and from time to time make such reports in relation to the suits in which the city is interested as may be required by the Mayor or either board of the City Council, and to perform such other duties not inconsistent with the duties imposed by this Act as the City Council may by ordinance direct.

City Attorney.

SEC. 34. The City Attorney shall receive such salary or fees, or both, as may by ordinance be provided.

ARTICLE IV.

ELECTIONS AND APPOINTMENTS.

SECTION 1. On the first Tuesday after the first Monday in June, A.D., 1891, and every two years thereafter, an election shall be held by the qualified electors of the City of Harriman for the election of a Mayor, City Treasurer, Judge of the City Court, City Attorney, City Assessor, an alderman from each ward, and five supervisors. The officers so elected shall hold their offices for the term of two years from the third Tuesday after the first Monday in June, 1891, and until their respective successors shall be elected and qualified.

Biennial elections.

SEC. 2. The Supervisors shall be elected from the city at large at all elections hereunder; but the City Council may at any time after the first election provide for the election of the aldermen by wards, and for that purpose may have power to divide the city into wards, *provided*, that no division of the city into wards shall be made within one year next preceding any general election for city officers.

First election.

SEC. 3. The first election held hereunder shall be conducted by the Sheriff of Roane County, Tennessee, who may call to his assistance five resident freeholders of the City of Harriman, three of whom shall act as judges and two as clerks of said election, who shall conduct said election as is now provided by law for holding elections for State officers, so far as the same is applicable, and a majority of said judges shall canvass the vote immediately after such election and give certificates of election to such persons as the canvass shall show duly elected. The manner of holding the subsequent elections hereunder shall be prescribed by ordinance, and the City Council shall canvass the vote on the first Wednesday succeeding any election of city officers held under or in pursuance of this Act, said canvass to be made in general convention of the two bodies, which convention shall, by resolution, declare the result thereof, and shall cause a certificate of election, signed by the Mayor, and attested by the City Clerk, under the seal of the corporation, to be issued to the persons having been elected.

Voters.

SEC. 4. All persons who are qualified voters under the general municipal corporation laws of the State shall be qualified voters under this Act, *provided*, that at the first election to be held hereunder, all persons who would be qualified voters had they been citizens of the State of Tennessee for the required time, and shall have been residents of the territory hereby included in the City of Harriman for sixty days next preceding said election, shall be entitled to vote thereat.

State laws apply.

SEC. 5. The election laws of the State in relation to election precincts in cities, registration, the punishment of election frauds, shall apply to the elections held under this Act, and all such elections shall be by ballot and be conducted as nearly as may be in conformity with the statutes regulating general elections applicable to cities having a population of over nine thousand inhabitants; and the City Council shall prescribe by ordinance all regulations necessary to carry into effect the provisions of this section.

SEC. 6. If the election of any officer shall fail in consequence of an equal number of votes having been cast for two or more persons for the same office, the City Council shall cast lots among the persons so voted for in such manner as the joint convention may prescribe by resolution, and the person who shall be successful according to the terms of such resolution in the casting of lots shall be delared elected. Tie-vote.

SEC. 7. If the election of any city officer shall be contested, the contest shall be heard and determined by the Board of Supervisors, under such rules as the said board shall have previously established for such hearing. Contests.

SEC. 8. If there shall occur a vacancy in either board of the City Council, the Mayor may, by and with the consent of a majority of the board in which such vacancy exists, fill such vacancy by appointment, and the person so appointed shall hold such office until the next general city election. All vacancies in other offices herein provided to be filled by election, shall be filled by an election held in the joint convention of the two boards of the City Council. Vacancies.

SEC. 9. Every city officer, both elected and appointed, shall have been a resident within said city for ninety days previous to his election or appointment, and shall reside within the city during his term of office. In case any such officer shall be found to have been ineligible at the time of his election or appointment, or shall cease to reside in the city, his office shall thereupon and thereby become vacant. Residence.

ARTICE V.

OFFICIAL OATHS, PENALTIES AND BONDS.

SECTION 1. Every officer elected or appointed under the provisions of this Act shall, before entering upon the duties of his office, take, subscribe and file in the office of the City Clerk, an oath in the following form: "I, do solemnly swear that I am a citizen of the United States and of the State of Tennessee; that I will support the Constitution of the United States and of the State of Tennessee, and will faithfully and honestly perform the duties of the office of to the best of my ability; that I have not and while holding said office will not have any direct personal interest in any contract with the city or any department or institution thereof; that I am not indebted to the State, the county of Oath.

Roane, or the City of Harriman, on account of any lawful tax against me now due and unpaid; that I have not been convicted at any time of malfeasance in office, bribery, or other corrupt practices or crimes, and do not stand charged by the Attorney-general of Roane County, or indicted on account of alleged offense against the law. So help me, God."

Perjury.

And every such officer or person who shall take and subscribe such oath, shall be guilty of perjury in case the oath shall be false or shall be violated, and shall be liable to indictment for perjury by any grand jury of Roane County, and upon conviction thereof shall be punished as now provided by law in case of perjury. If any person elected or appointed to office shall fail to take, subscribe and file such oath of office within the time herein provided, his election or appointment shall fail and the office be deemed vacant.

Contracts void —when.

SEC. 2. It shall be unlawful for any member of the City Council or other officer to have any direct personal interest in any contract with the City of Harriman, or any of its departments or institutions, and any such contract wherein any such officer of the City of Harriman shall have any interest as aforesaid, adverse to the interests of the said City of Harriman, shall, at the option of the Mayor or of the City Council, be void, and each officer and every contractor under any contract so declared void, shall severally forfeit to the city a sum not exceeding one thousand dollars to be recovered in a civil action.

Forbidden fruit.

SEC. 3. It shall be unlawful for any member of the City Council, or any other officer, to purchase or deal in warrants drawn upon the City Treasurer, or to purchase any bill, account or claim against the city, other than negotiable city bonds which shall have been issued previous to their election or appointment to office.

SEC. 4. The provisions of the preceding sections shall be construed to apply to and include every clerk or other person whose employment in or about the City Hall, or the offices of such city officers, shall have been authorized by the city authorities.

Official violations.

SEC. 5. Every city officer, clerk or employe who shall violate the provisions of section 2, 3 or 4 of this article, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not less than fifty ($50) dollars nor more than two hundred ($200) dollars for each such offense.

SEC. 6. Every Alderman, Supervisor, or other officer, Clerk or employe of the city, who shall, before or after his election, appointment or employment, contract, agree for or receive any money or other thing of value from any contractor with the city or from any other person whomsoever, as a consideration in whole or in part, for any official or public act already done or to be done by any Alderman, Supervisor, officer, Clerk or employe of the city, or for his influence in any matter requiring the action of any Alderman, Supervisor, officer, Clerk or employe, shall be deemed guilty of bribery, and, upon conviction thereof, shall be punished by a fine of not less than one hundred nor more than one thousand dollars, or imprisonment in the State penitentiary for a term not exceeding three years, or by both fine and imprisonment, in the discretion of the court. Bribery.

SEC. 7. Any contract or agreement, or any other act of the City Council, or of the Board of Supervisors, or Board of Aldermen or other officers, clerks or employes of the City of Harriman, of every name or nature, done or caused to be done and punishable under the provisions of the preceding section, shall be taken and held to be nul and void *ab initio*. Void acts.

SEC. 8. The City Council shall have power, and it is hereby made their duty, to provide by ordinance for the punishment of every officer, clerk and employe of the city for every violation of the provisions of this Act which is not especially provided for by law. Punishment.

SEC. 9. Every officer and employe of the city, except the Mayor, whose official bond is not prescribed by this Act, may be required by the City Council to give such official bonds, with such conditions, penalties and sureties as said council may deem necessary, and from time to time declare by ordinance or resolution. Official bonds.

The bond of the City Clerk shall be deposited with the City Treasurer and kept by him.

ARTICLE VI.

FINANCE AND TAXATION.

SECTION 1. The City Council shall have power and authority to levy taxes for city purposes upon all taxable property, real, personal and mixed, within the limits of the city, not exceeding in the total levy, for all general purposes, in any year two (2) per cent. of the total assessment of said property for city purposes for that year. Taxes.

SEC. 2. The City Assessor shall assess all property within the city limits in the same manner as the county assessors in the State assess property for State and county purposes. For that purpose he is hereby invested with all the powers of a county assessor and is charged with all the duties of such county assessor, so far as the same may be applicable to the assessment of property within the limits of the city. It shall be the duty of the City Assessor of the City of Harriman, as soon as the assessment roll in each year is ready for the extension of taxes, to make a true copy of said assessment roll and to certify the total amount of property within the city limits of the City of Harriman to the City Clerk, together with said copy of roll certified by him, whereupon the City Council shall immediately proceed to make the proper levy, in mills, upon the dollar valuation to meet the expenses of the city, limited as above as to the total levy, and cause the total levy to be extended upon the tax list of the current year, in the same manner as county and State taxes are entered. The original assessment roll shall be preserved by the Assessor in his office. The City Assessor shall receive such fees or salary for his services as the City Council shall prescribe by ordinance.

Assessment.

SEC. 3. The City Treasurer is hereby made the collector of city taxes, and for the purpose of collecting taxes assessed by the City Council the City Treasurer is hereby given all the powers and charged with all the duties devolved by law upon the County Trustee for the collection of the State and county revenue, and all laws of this State for the assessment and collection of general taxes, including laws for the sale of property for taxes and the redemption of the same, shall apply to and have as full effect for the collection of taxes for the City of Harriman as for such general taxes, except as modified by this Act. The City Treasurer shall also collect all privilege and license taxes at the time and in the manner as the City Council shall by ordinance provide.

Tax Collector.

SEC. 4. The Boards of Supervisors and Aldermen in joint convention shall constitute a Board of Equalization for the City of Harriman, and shall have all the powers and perform all the duties of the County Board of Equalization, so far as the same may be applicable to the city taxes.

Equalization.

SEC. 5. During the last quarter of the calendar year, the Mayor shall present to the City Council a detailed statement of the money necessary to defray the expenses of the city government for the next year, and for this purpose shall require from the officers at the head of the

Annual estimate.

different departments of the city government, and the chairman of the City Council committees, detailed statements of the probable expenses to be incurred in their departments. As soon thereafter as possible the City Council shall pass an annual appropriation ordinance for the next calendar year, providing for the appropriation of certain definite sums of money to defray the expenses incident to each department of the city government, based upon the estimate of the Mayor, but not necessarily governed by it. The total amount appropriated by such appropriation ordinance shall in no case exceed the probable amount of money that will be received during the year by taxation or other sources of revenue. At the end of the year for which such appropriation shall have been made, the balance remaining unexpended to the credit of the different funds, shall be covered into the general fund and may be subject to appropriation for general city purposes.

Bonded debts.

SEC. 6. The City Council is hereby authorized to contract an indebtedness on behalf of the city, and upon the credit thereof, by borrowing money and issuing bonds of the city at a rate of interest not exceeding six per cent. per annum, for the purpose of erecting public buildings; for the purpose of constructing and maintaining public sewers for the city; for the purpose of grading and paving public streets and alleys, and constructing and reconstructing sidewalks, curbing and guttering and other improvements; for the purpose of building and constructing viaducts for the city or aiding in the construction thereof; for the purpose of constructing bridges and their approaches; for the construction, erection or purchase of water-works and the necessary machinery, pipes and conduits and appurtenances for their operation, or any other specific purpose for the improvement of the streets of the city or lighting the same; *provided*, that the aggregate indebtedness to be incurred for the purpose above set forth shall never exceed ten per cent. of the assessed valuation of the taxable property of the city as shown by the city assessment of the year preceding the one in which a loan is voted; *provided, always*, that no loan shall be made, and no bonds shall be issued for any purpose, except by ordinance, which shall be irrepealable until the indebtedness therein provided for and the bonds issued in pursuance thereof, shall have been fully paid, and such ordinance shall specify the purpose for which the sums to be raised shall be applied; and shall also provide for a levy upon the taxable property in the city, sufficient to pay the annual interest thereon, and extinguish the principal of such debts and bonds within the time limited for the same, which shall not be less than five years nor more than thirty years; *and, provided further*, that such taxes when collected, shall only be applied to the purposes in said ordinance specified, until the indebtedness and bonds have been paid and discharged; but no such debt shall be created, nor bonds issued, unless the question of incurring the same and issuing bonds therefor, shall be submitted to a vote of such of the qualified electors of the city as shall, in the year next preceding, have paid a property tax therein; and a two-thirds majority of such voters voting upon the question by ballot, shall vote in favor of creating such indebtedness and issuing such bonds.

Limitation of expenditures.

SEC. 7. The City Council shall not order the payment of any money for any purpose whatever in excess of the amount appropriated for the current year, and, at the time of said order, remaining unexpended in the appropriation of the particular class or department to which such expenditures belong. Neither the City Council nor any officer of the city shall have the authority to make any contract or do anything binding the city or imposing upon the city any liability to pay money, until a definite amount of money shall have been appropriated by the annual appropriation ordinance hereinbefore provided for, for the liquidation of all the pecuniary liability under said contract or in consequence thereof, and the amount of said appropriation shall be the maximum limit of the liability ot the city under such contract or in consequence thereof; said contract to be *ab initio* null and void as to the city for any other or further liability; *provided*, that nothing herein contained shall prevent the City Council from paying any expense, the necessity of which is caused by any casualty, accident or unforeseen contingency happening after the passage of the annual appropriation ordinance; *and provided further*, that the provisions of this section shall not apply to or limit the authority of the City Conncil to contract for a longer period that one year for water, gas or electric lights; *provided, however*, that no contract be entered into for a longer period than thirty years.

Grade of streets

SEC. 8. The City Council shall have the power to establish the grade of the streets of the City of Harriman, and when the grade of any street shall have been established, it shall not thereafter be changed, unless the owners of two-thirds of the frontage in feet, of lots fronting and abutting upon the grade proposed to be changed, shall petition the City Council for such change.

Sec. 9. The City Council may by ordinance order the construction or reconstruction of any sidewalk or sidewalks upon the official grade in the City of Harriman. Sidewalks.

Sec. 10. Whenever the City Council shall, by ordinance, establish, open, widen, or alter any street, lane, alley or public square, and it becomes necessary for that purpose to take private property, and no agreement can be made with the owner thereof, the City of Harriman shall make a just compensation therefor to the person whose property is so taken; the amount thereof shall be ascertained in the manner prescribed by the general law. No action shall be taken to acquire title for the purpose contemplated in this section, unless ordered by a two-thirds vote of all the members elect of the City Council. Private property for public use.

Sec. 11. Public sewers shall be established and constructed at such times, to such extent, of such dimensions, and under such regulations as may be provided by ordinance by the City Council, and there shall be constructed such branches to the sewers already constructed or to be constructed, as may be considered expedient by the City Council; *provided*, that no public sewer shall be run diagonally through private property, when it is practicable to construct it parallel with the lines of said property, nor shall any such sewer be constructed through private property when it is practicable to construct it along a street or alley or public highway. Sewers.

ARTICLE VII.

CITY COURT OF HARRIMAN.

Sec. 1. There is hereby established within and for the City of Harriman a City Court, to be presided over by a judge, who shall be elected in the manner and at the times provided for in this Act. City Court.

Sec. 2. The City Court of Harriman is hereby invested with full power and authority to try all offenses for violation of the ordinances and by-laws of said city, and is hereby vested with concurrent jurisdiction with justices of the peace in all civil and criminal cases under the laws of the State of Tennessee, and shall be entitled to the same fees as are now allowed to justices of the peace for like services in civil and criminal cases arising under the laws of the State of Tennessee, and to such fees or salary, or both, as shall be provided for by ordinance, in Powers.

all actions arising under the ordinances and by-laws of said city.

Practice. SEC. 3. The practice and proceedings before said City Court in civil and criminal cases arising under the laws of the State shall be those prescribed by law for justices of the peace, and for all actions and proceedings arising under the ordinances of the city, the said court may make and establish such rules of practice and procedure as it may see fit, not inconsistent with the Constitution or laws of the State or ordinances of the city.

Temporary Judge. SEC. 4. In the event the Judge shall, either from absence or inability to act, be disqualified from sitting in any particular case, the Mayor is hereby authorized to appoint a temporary judge for a definite term or a particular case, and such person shall have all the powers of the Judge for the time or purposes appointed.

ARTICLE VIII.

POLICE DEPARTMENT.

Marshal and Police Board. SECTION 1. There shall be a Police Department in the City of Harriman composed of a Marshal, who shall be *ex officio* Chief of Police, and who shall be appointed by the Mayor with the consent of a majority of the members selected as the Board of Supervisors, and such policemen as shall be appointed by the Mayor, and a Board of Police consisting of the Mayor, the President of the Board of Supervisors and the President of the Board of Aldermen. The Marshal, or Chief of Police, shall hold his office for two years, unless sooner removed as provided in this Act.

Board of Police. SEC. 2. The Mayor shall be Chairman of the Board of Police. The board shall hold regular meetings in the office of the Mayor on the last Saturday in each month, and special meetings on the call of the Chairman of the board. The City Clerk shall attend all meetings of said board and keep a complete record of their proceedings.

Duties and powers. SEC. 3. The Board of Police may divide the city into police districts, and from time to time make necessary changes therein; shall make rules and regulations for the government of the police force, and prescribe and inflict penalties for the violation thereof; shall investigate charges which may be made against any member of the police force and decide upon the truth or falsity thereof and declare the punishment in case the charge shall be established. The Board of Police shall have power to suspend any policeman from the force for a period not exceeding thirty days, and no suspended policeman shall be entitled to receive pay during the period of his suspension; and in case a reduction of the force shall at any time be ordered by the City Council, the Board of Police shall designate which policemen shall be discharged.

Election of Marshal and police.

SEC. 4. The Mayor shall, as soon as practicable after his election, call a session of the Board of Supervisors, and shall at such session nominate and, with the consent and approval of a majority of the members elect of the Board of Supervisors, appoint a Marshal, who shall be *ex officio* Chief of Police who shall hold his office for a term of two years and until his successor is appointed and qualified, unless sooner removed as herein provided. The Marshal may be removed like any other officer as herein provided; and the Mayor may also remove from office the Marshal, for cause, with the concurrence of a majority of the members of the Board of Police. The Mayor, by virtue of his office, is the head of the Police; the policemen shall be appointed by him without confirmation, and he shall make all discharges of policemen, and in case of an appointment or discharge, he shall immediately notify the Marshal and the City Clerk thereof in writing, and the Marshal shall forthwith notify such discharged policeman of his discharge. In case of an emergency, when the Mayor may deem it necessary to the peace, good order or health of the city, he may appoint special policemen for a specified time, not to exceed ten days.

Salaries.

SEC. 5. The number of policemen, the salary to which they shall be entitled, and the salary of the Marshal or Chief of Police shall be regulated by ordinance, and neither the Marshal nor any policeman shall be entitled to any other compensation for services rendered the city during their employment on the police force.

Personating a policeman.

SEC. 6. Any policeman who shall have been discharged, and any suspended policeman, or any person not a duly appointed policeman, who shall falsely assume to act in the character or capacity of a policeman, or shall falsely hold himself out and represent himself to be such policeman of the City of Harriman, shall be deemed guilty of a misdemeanor and on conviction thereof by a court of competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment in the discretion of the court.

Duties of police

SEC. 7. The duties of the Marshal or Chief of Police and each member of the police force, which shall be under the direction of the Mayor, and in conformity with the ordinances of the city, are to suppress all riots, disturbances and breaches of the peace; to apprehend any and all persons in the act of committing any offense against the laws of the State or ordinances of the city, and forthwith bring such persons before the City Court, or other competent authority, for examination; and at all times diligently and faithfully to enforce all such laws, ordinances and regulations for the preservation of good order and the public welfare as the City Council shall enact, and may upon view arrest any person or persons who may be guilty of a breach of the ordinances of the city or crime against the laws of the State, and are hereby empowered to serve all process issued by or out of the City Court, or by any Justice of the Peace in criminal matters within the limits of the city. It shall be the duty of every police officer making arrest, with or without process, of any offender against the laws of the State, to bring the offender before the City Court, if such be in session; if not, to confine said offender in the city jail until such time as he can be brought before such court, and then deliver him up for trial or examination; *provided*, that in case of any such arrest, if said City Court shall not have jurisdiction to hear, try and determine the matter with which the parties arrested may be charged, such officer or officers shall surrender such person or persons to the Sheriff, Deputy Sheriff or Constable as soon as an information or complaint shall be made in any court of competent jurisdiction.

Service of process.

SEC. 8. The Marshal and all policemen are hereby authorized, either within or outside of the City of Harriman, to serve any and all process which may be issued by any court in any proceeding instituted for the enforcement of any city ordinance or punishment for violation thereof, or for the collection of any fine or forfeiture which may be incurred under the provisions of this Act or the city ordinances.

ARTICLE IX.

FIRE DEPARTMENT.

Fire Department.

SECTION 1. There shall be a Fire Department in the City of Harriman, consisting of the Chief Engineer of the city, and such assistants and firemen as the City Council may by ordinance from time to time direct.

Duties of Engineer.

SEC. 2. It shall be the duty of the said Engineer and his assistants to inquire into and investigate the cause of all fires which may occur in said city, and to keep a record of their proceedings and the evidence in each case. They shall have power to compel the attendance of any person in said city to testify upon oath concerning any fire in said city, under such penalty as the Council may provide; and they or either of them are authorized to administer oaths to all such witnesses. They are required to use their utmost exertions for the discovery, arrest and conviction of all incendiaries, and to perform such other duties as may be prescribed by ordinance.

Same.

SEC. 3. The said Engineer shall have entire direction and control of the Fire Department, subject to such rules and regulations as may be provided by ordinance, and shall have the control, custody, care and management of the engine-house, hook and ladder houses, hose-houses, engines, hose-carts, trucks, ladders, horses, telegraph and telephone lines, fire-alarms and all other public property and equipments belonging to the Fire Department. He shall maintain prompt order and discipline among the subordinate officers and employes of the Fire Department. He may, for a willful neglect of duty or violation of orders, for drunkenness, disorderly conduct or insubordination, suspend any member of the Fire Department. He shall report immediately to the Mayor the name of the person suspended, together with the charges against him, and it shall be the duty of the Mayor, after investigation, if he finds such charges proven, to dismiss the party guilty of such misconduct. And the said Engineer shall perform such other duties in regard to the Fire Department of the said city as may be provided by ordinance.

Annual report

SEC. 4. The Chief Engineer of the city shall make an annual report to the Mayor at the close of each year as to the state of the efficiency of the apparatus, and also give as nearly as possible the number of fire alarms, extent of property destroyed, the origin of fires, together with such other information and recommendations concerning his department as he may deem to the public interest. He shall at the same time report to the City Treasurer the public property in his custody, and in case any shall have been lost or destroyed after his receipt thereof, or since his preceding report, an account of such loss or destruction.

ARTICLE X.

HEALTH DEPARTMENT.

Health Department.

SECTION 1. There shall be a Health Department of the City of Harriman, composed of the Health Commissioner, who shall be appointed by the Mayor with the consent of a majority of the members elect of the Board of Supervisors; a Board of Health consisting of the Mayor, who shall be Chairman, the President of the Board of Supervisors, the President of the Board of Aldermen, the Marshal or Chief of Police and the Health Commissioner.

Health Commissioner.

SEC. 2. The Health Commissioner shall be a physician duly licensed under the laws of the State, and shall have been a tax-payer and an inhabitant of the city for at least six months before his appointment. The Health Commissioner shall hold his office for the term of two years and until his successor is appointed and qualified, and shall recieve such salary, payable in such manner, as shall by ordinance be provided.

Board of Health.

SEC. 3. The Board of Health shall make all rules and regulations not inconsistent with law and the ordinances of the city, apt and necessary for the preservation of the public health, or for the suppression of malignant or contagious diseases or epidemics which may have appeared in the city, and it shall be the duty of the Health Commissioner to execute all orders of the Board of Health and all city ordinances in this behalf; and to this end he is hereby authorized to enter, in the day time, upon any premises and into houses and buildings within the City of Harriman, and may cause to be abated, removed or destroyed any nuisance injurious to health wherever the same may be found in the city.

Powers of Health Commissioner.

SEC. 4. In order to effect the abatement of nuisances or removal of accumulated filth, the Health Commissioner shall have power, whenever in his opinion said nuisances or filth exist, to notify the owner or owners thereof, or his or their agent, to abate or remove the same, either by filling up, draining, cleaning, purifying or removing the same as the case may be. The said notice shall be in writing and shall be served upon the owner or agent having charge of said property; the notice shall be served by any policeman of the city when so ordered by the Health Commissioner; the notice shall specify the time in which the party is required to abate or remove the matter complained of. If the owner or agent having charge of said property, who shall have been served with such notice, shall fail, within the time therein indicated, to comply with such order, or shall fail to show good cause before the Board of Health why he cannot or ought not to comply with said order, for which purpose he shall be entitled to be heard, if he so request it, before said board, he shall be deemed guilty of a misdemeanor, and on conviction shall be fined not exceeding one hundred dollars and the nuisance shall be abated or removed, and the cost thereof shall be collected by the city from the owners or owner of said property, with interest and damages in the manner provided by ordinance. If such a service cannot be made for the reason that the owner, agent or other person having charge of the property upon which the nuisance may exist cannot be found in the city, of which fact the sworn return of the policeman serving notice, duly certified to by an officer authorized to administer oaths, shall be conclusive evidence, then the Health Commissioner shall cause such notice to be printed for two consecutive days in some newspaper published in the city, and if within two days after said publication said nuisance shall not be abated, or the order observed by the owner, then the Health Commissioner may order the same to be done, and the cost of the same when fully completed shall be ascertained and collected by the city from the owner or owners of said property, with interest and damages, in such manner as may be provided by ordinance; *provided* that in case of emergency when the public health is in danger from pestilence, epidemic or disease, the Board of Health shall order the abatement, removal or destruction of the offensive matter summarily without notice.

SEC. 5. The Marshal and other members of the police force are hereby required to report to the Health Commissioner any matters which may come to their knowledge injurious to or threatening the public health in general.

ARTICLE XI.

SCHOOLS.

School district and school directors.

SECTION 1. The City of Harriman is hereby created a separate school district. The common schools in said city shall be managed and controlled by a board of school directors composed of six persons qualified under the school laws of the State of Tennessee to act as district school directors. At the first election held hereunder there shall be elected from the city at large two of said directors for a term of two years, two for a term of four years, and two for a term of six years, and every two years thereafter two directors shall be elected to fill the vacancy caused by the expiration of the time of the two directors retiring. And in case a vacancy shall occur in said board from removal or other cause, the remaining members of said board shall appoint a properly qualified person to fill such vacancy until the next election. The said Board of School Directors shall at their said first meeting organize as a board and shall appoint one of their number Chairman of said board, who shall hold the office of Chairman of said board for one year and until his sucessor is appointed. The said board shall at their said first meeting appoint one of their number to be Clerk of said board, who shall hold his office for one year and until his successor is appointed. He shall keep a record of all the proceedings of said board. All papers and proceedings emanating from said board shall be signed by the Chairman and Clerk thereof, and they shall sign all orders drawn upon the Treasurer. All process against said school district shall be served upon the Chairman of said board, and the City Treasurer shall be Treasurer of said board, and shall have power to receive from the State and county officers all school moneys to which the district may from time to time become entitled. The said board shall have all the powers and perform all the duties now or hereafter required by the laws of the State of District Directors and District Clerks. The said board by the name and style of "The Board of Directors of the City of Harriman School District" shall be a body corporate with power to sue and be sued, contract and be contracted with, and to take and hold real and personal property for school purposes, and sell and convey the same when for the best advantage of the schools of the city.

Chairman.

Clerk.

Treasurer.

Corporate body

School funds.

Sec 2. Whenever the public school funds, payable to the "City of Harriman School District," shall be insufficient to provide funds applicable to the payment of teachers' wages and the current expenses of maintaining the public schools in said city, the Board of School Directors may certify that fact to the City Council together with an estimate of what amount will be necessary to meet the deficiency therein for the ensuing year, if said sum will not require a tax exceeding the rate levied by the State for State purposes for the same year, then the City Council shall levy and collect the amount of such estimate as is provided for the levy and collection of other taxes for city purposes.

Sec. 3. Whenever the Board of School Directors of the City of Harriman shall desire to raise money for building school houses, or improving or repairing the same, they shall report to the City Council the amount of money required, the purposes for which it is wanted, and the City Council shall then, by ordinance, provide for submitting the question of whether such amount shall be raised by taxation to the qualified voters of the city, and if three-fourths of the qualified voters of the city voting at such election shall vote for raising such sum by taxation, then the tax shall be levied and collected at the times, in the manner and on the conditions named in the proposition voted upon.

Money for school-houses.

General laws apply.

SEC. 4. The general laws of the State in regard to common schools shall apply to the City of Harriman, so far as the same are not modified herein, and the said district shall be entitled to all sums of money from the public school funds that it would be entitled to receive if the district was organized under the general laws of the State.

ARTICLE XII.

MISCELLANEOUS PROVISIONS.

Damages against city.

SECTION 1. Before the City of Harriman shall be liable for damages to any person injured upon any of the streets, alleys or sidewalks of the city, the person so injured, or some one in his behalf, shall give the Mayor or City Council notice in writing of such injury within thirty (30) days after the same has been received, stating in such notice when, where and how the injury occurred and the extent thereof.

Joint damages.

SEC. 2. No action can be maintained against the City of Harriman for damages to person or property by reason of defect in the street or sidewalks of said city, which defect was caused by or was the result of the negligence of some person other than an employe of the city, unless said person shall be joined with the city in the same action as defendant; and, in the event of a judgment against the city in such case, the city shall not be rerequired to pay the same until execution shall have been issued against said person and return thereof duly made that after diligent search no property could be found out of which to satisfy the same, and the city thereafter shall have the right to purchase the judgment from the plaintiff, by paying to him the amount of the judgment and interest, or if the parties agree, a less amount, and receive from the plaintiff an assignment thereof, and the purchase of the judgment by the city shall not operate as a satisfaction of the judgment against such co-defendant of the city, but the city, at any time thereafter, may have execution against such co-defendant for the amount it has paid plaintiff, together with interest thereon, which, if collected from said co-defendant under said execution, shall be paid to the city.

Appeals.

SEC. 3. The City of Harriman, in taking an appeal from a judgment or a decree in any judicial proceedings, shall give bond as required by law. All such bonds shall be executed by the Mayor and attested by the City Clerk under the seal of the corporation, and shall be taken in all courts as a full compliance with the law in such cases. All Acts or parts of Acts inconsistent with any provision of this Act are hereby repealed.

Public Act.

SEC. 4. This act is hereby declared to be a public Act, and may be read in evidence in all the courts of law and equity within this State without proof.

Charter to be accepted by vote.

SEC. 5. This Act shall go into effect and be enforced from and after its passage, the public welfare requiring it, to the extent that it is hereby made the duty of the Sheriff of Roane County, in person or by one of his deputies, to hold on the nineteenth day of May, 1891, at some public place within the boundaries defined in Article I., Section 2, of this Act, in the manner provided by Article IV., Section 3, of this Act, of which ten days' previous notice shall be given in some daily newspaper published within said boundaries, an election at which all persons qualified to vote at the first election, provided for in Article IV., Section 4, shall be entitled to vote, and the question shall be voted upon of whether this charter shall be accepted or not, and those of such voters who favor the acceptance of this charter shall deposit their ballot "For Charter," and those who oppose the acceptance of this charter shall deposit their ballots "Against Charter," and if a majority of such voters shall vote in favor of the acceptance of this charter then this Act, from and after the canvassing of said returns and certifying of the result thereof to the Secretary of State of the State of Tennessee by the judges and clerks of said election, shall go into effect and be in force in every part thereof.

Passed March 2, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 6, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 50.

AN ACT to authorize municipal corporations created and organized under the Act of the General Assembly, being Chapter 114, Acts of 1883, passed March 21, 1883, and approved March 27, 1883, to issue bonds for the widening and opening of streets, for the purchasing and establishing of a Hay Market and for Water-work purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and City Council of any incorporated city or town in the State of Tennessee, created and organized under the Act of the General Assembly, being Chapter 114 of the Acts of 1883, passed March 21, 1883, and approved March 27, 1883, are hereby empowered in their corporate capacity to issue the bonds of said city or town, signed by the Mayor and countersigned by the Recorder with interest coupons attached, which shall be signed by the Treasurer of said city or town to an amount not exceeding $310,000.

May issue $310,000 of bonds.

SEC. 2. *Be it further enacted,* That the bonds herein provided for may be executed in denominations from one hundred to one thousand dollars, and shall mature at such time within thirty years as may be fixed by corporate ordinances, bearing interest at the rate of not more than 6 per cent. per annum, payable semi-annually, and said bonds and coupons, if said Mayor and City Council so elect, be made receivable for taxes due said city or town.

Denominations, interest and maturity

SEC. 3. *Be it further enacted,* That one hundred and sixty thousand of said bonds shall be known as the "Internal Improvement Bonds," one hundred and fifty thousand of which shall be used exclusively in widening such street or streets in said city or town as the Mayor and City Council by ordinance may direct, and ten thousand of said bonds shall be used exclusively in paving any such street so widened.

Internal Improvement Bonds.

SEC. 4. *Be it further enacted,* That fifty thousand dollars of said bonds shall be known as the "Hay-market Bonds," and shall be used exclusively in the purchase and establishment of a hay-market at such place, within or adjacent to the city limits, as the Mayor and City Council may select, and said bonds shall, the better to secure their payment, constitute a lien on said land so purchased and the improvements placed thereon.

Hay-market Bonds.

Water-works Bonds.

SEC. 5. *Be it further enacted,* That one hundred thousand dollars of said bonds shall be known as the "Water-works Bonds," and shall be used exclusively in the completion, equipment and improvement of the water-works system of said city or town, and their payment shall be secured as the other series of water-works bonds heretofore issued by said Mayor and City Council are secured, subject, however, to the prior liens of bonds previously issued for water-works purposes.

SEC. 6. *Be it further enacted,* That no bond issued under the provisions of this Act, shall be sold for less than its par value.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 51.

AN ACT to change the line between the counties of Benton and Decatur.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Benton and Decatur be changed so as to include all the lands of D. A. Gossett in the county of Benton.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOS. R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 52.

AN ACT to promote the comfort of passengers on railroad trains by requiring separate accommodations for the white and colored races.

Separate coaches.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all railroads carrying passengers in the State (other than street railroads) shall provide equal, but separate accommodations for the white and colored races, by providing two or more passenger cars for each passenger train, or by dividing the passenger cars by a partition so as to secure separate accommodations; *provided,* that any person may be permitted to take a nurse in the car or compartment set aside for such persons; *provided,* that this Act shall not apply to mixed and freight trains which only cary one passenger or combination passsenger and baggage car; *provided, always,* that in such cases the one passenger car so carried shall be partitioned into apartments, one apartment for the whites and one for the colored.

Conductors must separate passengers.

SEC. 2. *Be it further enacted,* That the conductors of such passenger trains shall have power and are hereby required to assign to the car or compartments of the car (when it is divided by a partition) used for the race to which such passengers belong, and should any passengers refuse to occupy the car to which he or she is assigned by such conductor, said conductor shall have power to refuse to carry such passenger on his train, and for such refusal neither he nor the railroad company shall be liable for any damages in any court of this State.

Companies liable.

SEC. 13. *Be it further enacted,* That all railroad companies that shall fail, refuse or neglect to comply with the requirements of section 1 of this Act shall be deemed guilty of a misdemeanor, and, upon conviction in a court of competent jurisdiction, be fined not less than one hundred nor more than five hundred dollars, and any conductor that shall fail, neglect, or refuse to carry out the provisions of this Act shall, upon conviction, be fined not less than twenty-five nor more than fifty dollars for each offense.

SEC. 4. *Be it further enacted,* That this Act take effect ninety days from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 53.

AN ACT to change the line between Claiborne and Union Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Claiborne and Union Counties be so changed as to include the farms of Andrew Pary, Richard Pary, Mary McBee, Jasper Wood, John Houston, William Shoffner, Henry Keck, Jr., and William Beeson in the County of Union.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 54.

AN ACT to authorize Campbell County to issue bonds for the purpose of building and furnishing its county jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County of Campbell, through its quarterly County Court, be and the same is hereby authorized and empowered to issue coupon bonds of the county for the purpose of erecting and furnishing the county jail of the county and meeting any outstanding indebtedness on account of said building, not exceeding the sum of ten thousand dollars, bearing interest at not more than six per cent. per annum, and said interest payable annually, the bonds therein provided for to be payable ten years from the date thereof, but may be redeemed at any time after three years by order of the said quarterly County Court; provided three-fourths of the justices of said court attend the term thereof at which issuance of bonds shall be passed upon and vote for said issuance.

Authorized to issue bonds.

SEC. 2. *Be it further enacted,* That said bonds shall be signed by the County Judge of Campbell County and countersigned by the County Court Clerk with his official seal affixed to the same, and to be in the denomination of one hundred dollars each, and shall be numbered in the order of issuance, beginning with one.

Signatures, etc.

SEC. 3. *Be it further enacted,* That each of said bonds shall have attached to it ten coupons, showing the amount of each annual installment of interest on said bond, and when the same shall fall due, which coupon shall be signed in the same manner as the bonds, but without the official seal of the Clerk, and showing on their face the number and denomination of the bonds to which they are attached. The coupons herein provided for shall become due annually, and when due shall be receivable in payment of any county taxes, except the sinking fund tax hereinafter provided for, and when so received or paid off by the Trustee or Tax Collector shall be by him cancelled by stamping or writing on the face thereof the date received or paid and held by him as his voucher for the payment on his settlement with the Judge of the County Court who will preserve said coupons as part of the records of his office.

Coupons.

Tax.

SEC. 4. *Be it further enacted,* That it shall be the duty of the Quarterly County Court of said county annually to levy a tax on the taxable property of said county for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of the bonds herein authorized, when they fall due or are called in or redeemed as hereinafter provided; and to enable the County Court to know what amount of tax to levy for these purposes, the Judge of the County Court shall keep in a well bound book a record of the number and denomination of all bonds issued, to whom issued, and also of all bonds and coupons redeemed or paid.

SEC. 5. *Be it further enacted,* That the Trustee or tax collector shall collect and account for the tax herein authorized, the same as he is required to collect and account for other taxes, and shall receive the same compensation as for collecting other county taxes, and the County Court may, when it thinks proper, require such Trustee or tax collector to give an additional bond for the performance of his duties in collecting and accounting for said funds.

Redemption.

SEC. 6. *Be it further enacted,* That before the expiration of the three years from the issuance of said bonds the Trustee or tax collector may redeem any of said bonds presented for the redemption out of any money that may be in his hands derived from said sinking fund tax, or may receive said bonds in payment of said sinking fund tax; and after the expiration of said three years it shall be the duty of the Trustee to call for such an amount of said bonds as the sinking fund in his hands will redeem, calling for them by number, commencing with the lowest number and redeeming them in the order in which they were issued of such as are outstanding, and for this purpose he shall have access to the judge's books in which said bonds are numbered.

Publication.

SEC. 7. *Be it further enacted,* That the call, as provided in section 6 of this Act, shall be made on order of the County Judge of said county by public advertisement posted at the court-house door of said county for thirty days, or by publishing same in any newspaper published in said county, setting out the number and denomination of said bonds so called for, and said bonds not being presented for payment at the expiration of said thirty days the interest thereon shall cease from that date, and the coupons not due thereon shall not thereafter be received for taxes nor be paid, but shall become void; and should the bonds so called for be withheld then shall the Trustee in like manner call for other bonds in regular order until the amount required be presented for redemption; and when any such bonds are redeemed as herein set out the Trustee or tax collector shall upon settlement with the County Judge of the county have credit therefor on account of sinking fund tax, and after they have been entered upon the judge's books, as aforesaid, said bonds shall be defaced by stamping or writing across the face of the same date when they were accounted for on settlement and the same filed away with the coupons thereon and therefore redeemed, as part of the records of said judge's office.

SEC. 8. *Be it further enacted,* That none of the bonds herein provided for shall be sold at less than their par value.

SEC. 9. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 55.

AN ACT to amend an Act passed March 22, 1875, entitled "An Act to require persons convicted of misdemeanors to work out the costs of conviction," so as to make Judges of Criminal Courts *ex officio* inspectors of work-houses, and defining their powers and duties as such inspectors.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed March 22, 1875, entitled "An Act to require persons convicted of misdemeanors to work out the costs of conviction" be and the same is hereby amended so as to provide that Judges of the Criminal Courts in counties in which work-houses are situated shall be *ex officio* inspectors of such work-houses. And as such inspectors it shall be their duty from time to time to visit such work-houses; to inspect the same, to see that prisoners are humanely treated, and are provided with necessary clothing and food; and that the provisions of the law relating to the same are carried out, and the said judges shall have power and it is made their duty to suspend or remove any officer or employe of said work-house, who fails or refuses to perform his duties as such officer or employe.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1891.

THOS. R. MYERS,
Speaker of the House of Representatives.
W. C. DISMUKES,
Speaker of the Senate.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 56.

AN ACT to give consent to the acquirement by the United States, by condemnation, in courts of competent jurisdiction, of such lands for sites of locks and dams, lock-keepers houses, etc., as may be required in the improvement of the Cumberland River by the United States, and to grant cession of jurisdiction over such lands so acquired.

WHEREAS, the Federal Congress has made appropriation for improving the Cumberland River by means of locks and dams, and other projected improvements; and,

WHEREAS, certain lands are needed for the sites of such locks and dams, and lock keepers' houses and other buildings, etc., pertaining to the construction, operation and maintenance of said works of improvement; and,

WHEREAS, the United States have and will have under consideration the selection of such lands for sites, etc., and the acquirement of the same, by condemnation through legal proceedings in a court or courts having jurisdiction, may become necessary; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the consent of the Legislature of the State of Tennessee be and is hereby given to the acquisition by the United States, by condemnation, of any land needed for such sites, if proceedings for condemnation are expedient or necessary and are instituted and prosecuted to termination by the United States.

SEC. 2. *Be it further enacted,* That upon the registration of a judgment or decree of condemnation of a court of competent jurisdiction in the Register's office of the county where such lands lie the jurisdiction over the tracts of land as severally described in such decree or judgment of condemnation be and the same shall be thereby and thenceforward ceded and granted to the United States.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 57.

AN ACT to authorize clerks, recorders and other officers, authorized by law, to collect merchants' and privilege taxes for municipal corporations, to issue distress warrants for the collection of such taxes and penalties where persons presume to sell goods or exercise a privilege without obtaining a license therefor.

Must procure license.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That if any person or corporation required by law to pay merchants' or privilege taxes to any municipal corporation, or to obtain a license before engaging in same, presume to sell goods or exercise a privilege without first obtaining a license as required by law, such Clerk, Recorder or Collecting Officer shall issue to the Sheriff, City Marshal or any Constable a distress warrant, commanding him to levy in case of a privilege tax double the highest tax imposed upon any such privilege, and in other cases double the highest tax imposed on any similar business, together with costs and charges, by distraining and selling so much of the delinquent's goods and chattles as shall be sufficient for the purpose.

Levy.

SEC. 2. The officer to whose hands said warrants shall come shall immediately execute the same on pain of being held liable himself, on motion by the Clerk, Recorder or Collecting Officer for the double tax, cost and charges lost by his delay, in the Circuit Court.

Sale of goods.

SEC. 3. The officer having seized the goods and chattles of the delinquent shall give ten days' notice of the time and place of sale, which he shall make at the time specified, unless the owner, at or before the time of sale, produce the Clerk's, Recorder's or Collecting Officer's receipt for the tax, costs and charges, in which case the officer shall re-deliver the goods to the owner.

Double fees.

SEC. 4. In all cases in which the penalty prescribed against breaches of the Revenue Laws in relation to license is recovered, double fees shall be allowed to the Clerk, Recorder and Collecting Officer or Attorney prosecuting the case.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 4, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 58.

AN ACT to repeal an Act entitled "An Act to authorize the appointment of an additional number of justices of the peace in certain incorporated cities," passed February 25, 1875, by the General Assembly of the State of Tennessee, and approved February 26, 1875, contained in Chapter 8 of the Acts of 1875, pages 9 and 10.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act passed by the General Assembly of the State of Tennessee in 1875, and found in the Acts of 1875, Chapter 8 of the Acts of the General Assembly of Tennessee, entitled "An Act to authorize the appointment of an additional number of justices of the peace in certain incorporated cities" having a population of six thousand, and not exceeding eight thousand, by the Federal Census of 1870, and approved February 26, 1875, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 59.

AN ACT to amend Section 7 of an Act entitled "An Act to provide for a more efficient management of the Public Schools and Taxing Districts where there is an incorporated system of Public Schools," passed February 27, 1883, and approved March 3, 1883, Chapter 17, Acts of 1883, so as to authorize the said Boards of Education to pay their Secretary a salary not exceeding the sum of $1,800 per annum.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section (7) seven of the Act entitied an Act to provide for a more efficient management of the Public Schools and Taxing Districts where there is an incoporated system of Public Schools, passed February 27, 1883, and approved March 3, 1883, Chapter 17, Acts of 1883, be so amended in the last line of said section, after the word "exceeding," by striking out twelve hundred and inserting 1,800.

SEC. 2. *Be it further enated,* That all Acts or parts of Acts in conflict with this Act are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1891.

W. C DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 60.

AN ACT to amend Chapter 218 page 262 of the Acts of 1879, entitled "An Act to facilitate the collection of State revenue."

Examing attorney.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 Chapter 218 of the Acts of 1879 be so amended as to read as follows, that the Comptroller of the Treasury is hereby authorized and it shall be his duty to employ an attorney or attorneys whom he may send in any and all counties in the State, with full power and authority to examine into and investigate the books and records of any officer charged with the duty of paying or turning over to the State or county any money or funds in their hands, or charged with the duty of collecting any State or county revenue derived from a tax of any character, or charged with the duty of disbursing moneys collected from the State or county.

Data furnished

SEC. 2. *Be it further enacted,* That Section 2 of said Act be so amended as to read as follows: That it shall be the duty of the Comptroller to furnish the Attorney with the reports of the clerks of State revenue collected by them, also with any other documents, data or information which may facilitate his investigation, and the attorney or attorneys so appointed shall have full power and authority to bring in the name of the State, by motion or otherwise, any and all suits necessary to enforce the collection of any and all moneys, funds or revenue, required by law to be collected and paid over, or to be paid over to the State or county, or which have not been collected, or which has been collected and not paid over, and to recover any moneys illegally or improperly paid out by the State or county, upon certificates of said clerks or other officers, and to compromise and settle, when it is to the interest of the State to do so, all suits for or on account of such moneys, funds or uncollected revenue or amount illegally paid out by the State with persons in default, or their securities, and to compromise and settle, when it is to the interest of the State to do so, any and all claims against defaulting Revenue Collectors, Trustees or other persons charged with the collection of State revenue or their securities on any account whatever; *provided,* that no settlement or compromise so made shall have any validity until approved by the Comptroller and Governor.

SEC. 3. *Be it further enacted,* That Section 3 of said Act be amended by striking out the last two lines, the same being the proviso of said section, and reading as follows: *provided,* that the provisions of this Act shall apply only to existing uncollected claims and revenue.

SEC. 4. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 61.

AN ACT to amend an Act entitled "An Act concerning the powers of Railroad Companies now or hereafter existing under the laws of this State, or of this State and any other State or States, and whose original charter of incorporation was granted by the State of Tennessee," passed February 26, 1881, and approved March 15, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 9 of the Acts of 1881, passed by the First Session of the Forty-second General Assembly of the State of Tennessee, entitled "An Act concerning the powers of Railroad Companies now or hereafter existing under the laws of this State, or of this State and any other State or States, and whose original charter of incorporation was granted by the State of Tennessee," be amended as follows: That the first proviso of the second section of said Act shall read as follows: "*Provided,* That the same be approved by the vote of three-fourths in amount of the capital stock of said company present and voting, either in person or by written proxy, at a regular or called meeting of the stockholders of said company."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 19, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 62.

AN ACT to amend section 17 of an Act passed April 4, 1881, approved April 4, 1881, being chapter 96 of the Acts of 1881, entitled An Act to amend sections five (5), seven (7), nineteen (19) and twenty-three (23) of an Act passed January 29, 1879, approved January 31, 1879, entitled An Act to establish taxing districts in this State and to provide the means of local government for the same, and also to amend section six (6), subsections two (2), seventeen (17), thirty-one (31), thirty-five (35), thirty-six (36), thirty-seven (37), forty-six (46), forty-nine (49), fifty (50), fifty-two (52), fifty-three (53), fifty-four (54), fifty-six (56), and adding also subsection fifty-nine (59) to section seven (7), and amending section eight (8) of an Act entitled An Act to establish taxing districts in this State and to provide the means of local government for the same, said amendatory Act having passed on the 12th day of March, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 17 of an Act passed April 4, 1881, approved April 4, 1881, being chapter 96 of the Acts of 1881, entitled An Act to amend sections five (5), seven (7), nineteen (19) and twenty-three (23) of an Act passed January 29, 1879, approved January 31, 1879, entitled An Act to establish taxing districts in this State and to provide the means of local government for the same, and also to amend section six (6), subsections two (2), seventeen (17), thirty-one (31), thirty-five (35), thirty-six (36), thirty-seven (37), forty-six (46), forty-nine (49), fifty (50), fifty-two (52), fifty-three (53), fifty-four (54), fifty-six (56), and adding also subsection fifty-nine (59) to section seven (7), and amending section eight (8) of an Act entitled An Act to establish taxing districts in this State and to provide the means of local government for the same, said amendatory Act having passed on the 12th day of March, 1879, be amended in line four by striking out five hundred dollars ($500) and inserting one hundred dollars ($100).

SEC. 2. *Be it further enacted*, That all laws or parts of laws in conflict with this Act are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 63.

AN ACT to establish a School District from parts of the 14th and 15th Civil Districts of Montgomery County, to fix the boundaries thereof, to fix time and place for holding elections therefor, and directing the County Trustee to pay the pro rata of school fund on the warrant of directors of said district as the law directs.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a school district be established from parts of the 14th and 15th Civil Districts of Montgomery County, beginning, running and bounded: Bounds. Beginning at the mouth of Big Brush Creek on Cumberland River, and running in an easterly direction with said creek to the east line of A. J. Rinehart's land, thence north with said Rinehart's line to A. T. Adkins' east line, thence north with Adkins' line the west line of W. P. Adkins, and thence north with the said W. P. Adkins' line to Edge Adkins' north-east line, thence west with said Adkins' line to the lands of Andrews and Lee Pardue, and thence with their west lines to C. C. Johnson's north line, thence west with said Johnson's line to R. M. Collier's north line, thence with said Collier's north to what is known as "Funk Hollow," and thence with said Hollow to the Cumberland River, thence up the river to the mouth of Big Brush Creek, the beginning.

Election of Directors.

SEC. 2. *Be it further enacted,* That the sheriff himself or deputy shall, on the first Saturday in August, 1892, and biennially thereafter, at the school-house of the district, after advertising for ten days by written notice in three or more places in the district, open and hold an election as provided by law for such elections, for three directors for said school district. The three persons receiving the highest number of votes shall be declared elected. They shall qualify as other directors of public schools; the sheriff shall make returns of the election as provided by law for other school districts.

Trustee.

SEC. 3. *Be it further enacted,* That the Trustee of Montgomery County is hereby instructed to pay the pro rata of the school fund on the warrants of the directors of this district, as provided by law for other school districts.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 64.

AN ACT for the benefit of the indigent and disabled soldiers of the late war between the States, and to fix the fees of attorneys or agents for procuring such pensions, and fixing a penalty for the violation of the same.

Board of Pension Examiners.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller, Attorney-general of the State, and three ex-Confederate soldiers, to be suggested by the Tennessee Division of Confederate Veterans, appointed by the Governor, and hold their office for two years, without pay, shall constitute the "Board of Pension Examiners," who are invested with full power and authority to hear and determine all applications for pensions under the provisions of this Act; and to prescribe such rules and regulations touching such applications as they may deem necessary for the proper conduct of their business as such board; and to hear evidence touching such applications, at such times and places, and in such manner, as they may desire; and to allow or refuse pensions according as justice and law may require. They are invested with full power over the entire pension roll at all times, and it is their duty to strike from the roll such names as may be improperly there, after proper notice and hearing. Their decision shall be final.

Who are entitled to pensions.

SEC. 2. *Be it further enacted,* That only disabled soldiers, Federal and Confederate, that enlisted from the State of Tennessee in Tennessee regiments, or citizens of this State at the time of their enlistment in regiments of other States, who are now residents of this State; or citizens of other States who enlisted in Tennessee or other States, but who are now and have been citizens of this State for one year, shall be entitled to the benefits of this Act; and they must be *bona fide* residents of the State at least one year before making their application for pension; and their character as soldiers must have been free from dishonor; and it must appear that they are not pensioners entitled to pension under the laws of the Federal Government or of any other State, and that they are not already in possession of a competency—the object of this statute being to provide for the indigent and disabled.

Rates of pensions.

SEC. 3. *Be it further enacted,* That the rates of pensions to be paid under this Act shall be as follows:

1. For total disability, such as the loss of both arms, both legs or both eyes, or the use of the same either in battle, skirmish or on picket, or from sickness, exposure or other injuries received during the war, in prison, or on the way home, $25 per month.

2. For partial disability, such as the loss of *one leg and one arm,* either in battle, skirmish or on picket, or one of the aforesaid limbs lost in battle, or skirmish, or on picket, and the other so disabled as to since render it useless or made amputation necessary, $10 per month.

3. For smaller disability, such as the loss of one leg or one arm, or the use of the same, either in battle, skirmish or on picket, or in prison, $8.33⅓ per month.

How paid.

The Board of Pension Examiners shall pass on all applications, give their approval before a pension shall be granted; when granted, the Comptroller shall issue his warrant quarterly to the pensioner for the amount of the pension, on the Treasurer, who shall pay the same out of any moneys not otherwise appropriated.

SEC. 4. *Be it further enacted,* That no pension shall be allowed to any one unless it shall clearly appear that his disabilities resulted from some injury received while engaged in the military service, and while in the line of duty, or in prison.

No arrearages to be paid.

SEC. 5. *Be it further enacted,* That the pensions allowed under this Act shall be paid quarterly; and that no arrears shall be allowed beyond the date of making application, and in no case for more than one year. If, from inheritance or otherwise, any pensioner shall acquire a competency sufficient for his support, cease to be a resident of the State, or die, it shall be the duty of the board to strike such pensioner from the pension roll.

Record.

SEC. 6. *Be it further enacted,* That the Board of Pension Examiners shall keep a book in which shall be recorded the names of each pensioner, company and regiment, date, place, and nature of wound received, date and place where paroled or discharged, date of granting and amount of pension.

Fees of attorneys.

SEC. 7. *Be it further enacted,* That it shall be the duty of the board to fix the fees of attorneys prosecuting applications for pensions, which shall in no case exceed $10, which shall be paid directly to the attorney.

Penalty for receiving illegal fees.

SEC. 8. *Be it further enacted,* That it shall be a misdemeanor punishable by a fine of not less than $500.00 and imprisonment not less than ten days for any person to contract for or receive, directly or indirectly, more than the legal fees for prosecuting pension claims under this Act. The grand jury are given inquisitorial power over this offense, and the "Board of Pension Examiners" are required to investigate such matters, and have them brought before the courts.

Confederate Soldiers' Home.

SEC. 9. *Be it further enacted*, That the Board shall have power, with the consent of the Trustees, in case of applicants having no families, to allow them a support in the Confederate Soldier's Home in lieu of a pension.

Pensions to be withh ld.

SEC. 10. *Be it further enacted*, That it shall be the duty of the Board to withhold pension from any pensioner who may habitually waste the State's bounty in dissipation or other dishonorable manner.

SEC. 11. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it; and that all former laws on the subject of pensions be and the same are hereby repealed.

Passed March 10, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 65.

AN ACT to abolish the Charter of the town of Gainesboro, in Jackson County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Charter of the town of Gainesboro, in Jackson County, Tennessee, be and the same is hereby abolished.

SEC. 2. *Be it further enacted,* That this Act take effect forty days after its passage, the public welfare requiring it.

Passed March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 66.

AN ACT to amend Section 8 of Chapter 74 Acts of 1857-8, and to change the time of holding municipal election in town of Ripley, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 8, Chapter 74, of the Acts of 1857-8 be amended as follows: In the third line of section 8 Strike out the word "Saturday" and insert the word "Thursday."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 67.

AN ACT to change the line between Monroe and Loudon Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Monroe and Loudon Counties be so changed as to include all the lands of A. J. Hudgins in Monroe County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 68.

AN ACT to compile the several Acts incorporating the City of Columbia into one Act, and to amend the same and to repeal all Acts in conflict with this Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the several Acts and parts of same heretofore passed incorporating the City of Columbia, as are herein compiled and codified and amended, shall be and are hereby declared and designated the Charter of the City of Columbia. Charter.

SEC. 2. *Be it further enacted,* That the inhabitants of the City of Columbia, in the County of Maury, as the same extends and is laid out, are hereby constituted a corporation and body politic, by the name and style of the Mayor and Aldermen of the City of Columbia, and by the same name, shall have perpetual succession; shall sue and be sued; plead and be impleaded, in all courts of law and equity, and in all actions whatever; may purchase, receive and hold property, real and personal, within said city, and may sell, lease or dispose of the same for the benefit of said city; and may purchase, re- Powers.

ceive and hold property, real and personal, beyond the limits of said city, to be used for the burial of the dead; for the erection of water-works, for the establishment of a hospital, for a poor-house, work house, or house of correction; and may sell, lease or dispose of said property for the benefit of the city, and do all other acts touching the same as natural persons; they shall have and use a common seal and change it at pleasure.

Boundaries.

SEC. 3. *Be it further enacted*, That the boundaries of said city be and continue to be, until otherwise provided, the same as they are now according to Acts heretofore passed, and as are now recognized.

Board of Mayor and Aldermen.

SEC. 4. *Be it further enacted*, That the legislative power of said city shall be exercised by the Board of Aldermen elected under the provisions of this Act, over whose meetings the Mayor shall serve as presiding officer, and cast the deciding vote where there is a tie; a majority of all the Aldermen shall constitute a quorum for the transaction of business. In the event the Mayor shall be temporarily absent, the board shall elect one of their own number to preside over the deliberations of the body, in which event one more than a quorum shall be present. In the event of the death of the Mayor, or should his office become vacant by removal from the city, or resignation, or impeachment or other cause, then the board shall proceed, at the first regular meeting thereafter, to elect one of their number as Mayor to fill his unexpired term, and the board shall then elect some other person eligible to the place to fill the vacancy thus occasioned for the unexpired term. The board shall be composed of the Mayor and two Aldermen from each ward to be elected for two years at a general election of the qualified voters of the city at large. If at such general election there should be a tie vote between the candidate receiving the highest number of votes for Mayor or Alderman, the tie shall be decided by a majority vote of the Board of Aldermen at the first meeting. No person shall be eligible to the office of Mayor or Alderman unless he be a resident of and the owner of a taxable freehold in said city and a citizen of Tennessee who has resided in the city at least two years immediately preceding his election, and should either cease, the office becomes vacant. At the election, as hereinafter provided, there shall be elected a Mayor for said city, and two Aldermen from each ward to serve for the period of two years, and biennially thereafter, to fill the vacancy by the expiration of terms.

Oath of office.

SEC. 5. *Be it further enacted*, That the Mayor and Aldermen, before entering upon their duties, shall take an oath that they will honestly and faithfully discharge the duties of their offices without partiality, favor or affection.

Qualifications and elections of members.

SEC. 6. *Be it further enacted*, That the board in session shall judge of the qualifications, elections, and returns of the members of the board, and shall prescribe rules for the determination of contested elections. It shall prescribe its own rules of proceedings, the punishment of its members for malfeasance, misfeasance, nonfeasance, drunkenness or any misconduct in office, and enforce the same; two-thirds of the remaining members of the board present and voting to concur, may expel a member for such malfeasance, misfeasance, nonfeasance, drunkenness or misconduct, which vacancy can be filled as provided in other cases. A less number than a majority can adjourn from day to day, and under the provisions of ordinances may compel the attendance of absent members by fines and penalties. For all investigations of charges against its members or other officers, or such matters pertaining to the affairs of the city, the Mayor shall, at the discretion of the board, issue subpœnas and compulsory process to compel the attendance of witnesses, and the production of books and papers. The Board of Mayor and Aldermen shall hold its meetings at such times as it may determine, not more than one regular stated meeting per month.

Salary of Mayor

SEC. 7. *Be it further enacted*, That the Mayor of said city shall receive for his services the sum of two hundred dollars per annum and perquisites of office, and on no account, cause, or pretense whatever shall be paid out of the city treasury for his services any other sum whatever. The Aldermen of said town shall receive no compensation whatever. And it is hereby declared a misdemeanor in office, indictable in the Circuit Court, to be punished by a fine of one hundred dollars, one-half to go to city treasury, for the Mayor or any Alderman to accept, directly or indirectly, or to vote to himself or associate, any fee or compensation whatever, in addition to the compensation herein provided.

SEC. 8. *Be it further enacted*, That the Mayor and Aldermen shall have power, by ordinance, within the city—

Powers of the Board.

1. To levy and collect taxes upon all property taxable by law for State purposes, being in the bounds of said

corporation as it is now or may hereafter extend, whether improved or unimproved.

Powers of the Board.

2. To levy and collect taxes upon all privileges and polls taxable by the laws of the State.

3. To appropriate money and provide for the payment of the debts and expenses of the city in the manner hereinafter provided.

4. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for the purpose and enforce the same within ten miles of the city.

5. To establish hospitals and make regulations for the government thereof.

6. To establish a system of free schools and regulate the same so as to avoid sectarian influences.

7. To make regulations to secure the health of the inhabitants and to prevent and remove nuisances.

8. To provide the city with water-works within or beyond the boundaries of the city.

9. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair streets, alleys and sidewalks, or to have the same done as hereinafter provided.

10. To establish and keep in repair bridges, culverts, sewers and gutters.

11. To provide for lighting the streets.

12. To erect market-houses, establish markets and regulate the same.

13. To provide for the erection of all buildings necessary for the use of the city.

14. To provide for the inclosing, improving and regulating all public grounds belonging to the city, in or out of the corporation limits.

15. To license, regulate and tax auctioneers, grocers, merchants, retailers, taverns, brokers, coffee houses, confectioners, retailers of liquor, hawkers, peddlers, livery, sale and feed stables and hitch yards, keepers of Jenny Lind and billiard tables and ten pin alleys.

16. To license, tax and regulate hackney carriages, carts, drays, omnibuses, wagons, etc., and to fix the rate to be charged for the carriage of persons and of property within the city, and to the public works and property pertaining to the city.

17. To license, tax and regulate porters, and to fix the rate of porterage.

18. To license, tax and regulate and suppress theatrical and other exhibitions, shows and amusements.

Powers of the Board.

19. To regulate or prohibit and suppress disorderly or bawdy houses and houses of ill fame.

20. To provide for the prevention or extinguishment of fires; to organize, establish and regulate fire-companies; to regulate, restrain or prohibit the erection of wooden or brick buildings in any part of the city; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fires.

21. To regulate the storage of gunpowder, tar, pitch, resin, saltpetre, gun-cotton, and all other combustible material, and the use of lights, candles and stove-pipes in all stables, shops and other places.

22. To establish standard weights and measures to be used in the city in all cases not otherwise provided for by law.

23. To provide for the inspection and measuring of lumber and other building material.

24. To provide for the inspection and weighing of stone-coal, wood, and other fuel; hay, corn, and other grain.

25. To provide for and regulate the inspection of beef, pork, flour, meal, oils, whisky and other spirits in barrels, hogsheads or other vessels.

26. To regulate the inspection of butter, lard, and other provisions; to regulate the vending of meat, poultry, fish, and other eatables; to prevent and punish forestalling of provisions and to suppress hucksters.

27. To regulate the police of the city; to impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.

28. To provide for the arrest and confinement, until trial, of all riotous and disorderly persons within the assemblies, in any street, house or place in the city, by day or night; to authorize the detention of all suspicious persons found violating any ordinances of the city.

29. To prevent and punish, by pecuniary penalties, all breaches of the peace, noise, disturbances or disorderly assemblies, in any street, house or place in the city by day or night.

30. To fix from time to time the numbers and boundaries of the wards of the city.

31. To prevent and remove all encroachments into and upon the public squares, streets, lanes, avenues, and alleys established by law or ordinance, and remove all obstructions from the public squares, streets, lanes, alleys, and sidewalks, etc.

Powers of the Board.

32. To regulate and provide for the construction and repair of sidewalks and foot pavements, and if the owners of or owner of any lot shall fail to comply with the provisions of any ordinance requiring such owners to build or repair sidewalks, after due notice, the city may build the same through the agencies of the Board of Commissioners or Supervisors hereinafter provided for, and the city shall pay for the same, and the amount so paid shall be a lien on said lot or lots, which may be enforced in any court of competent jurisdiction under proper proceeding, brought in the name of the Mayor and Aldermen. But no ordinance ordering the building of such pavement or repairs shall be made until the city has first caused to be built and put down, at its expense, a good and substantial curbing of stone, cut of uniform height and size, along the outer edge of said intended pavement. To grant the right of way through the streets and squares of said city for purposes of street railway and other improvements, and may institute such proceedings as are authorized by law to condemn and appropriate ground for the use of said city to widen or extend its streets.

33. To contract for the loan of any sum or sums of money on such terms as they can borrow the same, and to pledge themselves in their corporate capacity, their successors in office, and the faith of said corporation for the payment of the principal and interest of any sum of money so borrowed in the time and manner specified in the contract.

34. To pass all ordinances not contrary to the Constitution and laws of the State that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of this incorporation.

35. To erect and organize a work-house in or near said city, and any person who shall fail or neglect to pay any fine or cost imposed on him or her by any ordinance of said city, shall be committed to the work-house until such fine and cost be fully paid. Every person committed to the work-house shall be required to work for the city at such labor as his health and strength will permit, within or without said work-house, not exceeding ten hours each day, and for such work and labor the person so employed shall be allowed, exclusive of board, a credit upon such fine and cost of not less than fifty cents per day until the whole is discharged, when they shall be released; *provided*, that no person shall be compelled to work longer than ninety days for any offense.

Powers and duties of the Mayor.

SEC. 9. *Be it further enacted*, That it shall be the duty of the Mayor to carefully examine all bills passed before affixing his signature, and should any such not meet his approval, he shall, at the next regular meeting of the board, return the same with his objections in writing, and no laws so vetoed shall go into effect unless the same be again passed by a majority of the entire board. No bill shall become a law unless the same shall have passed three several readings by a majority vote, and until the same shall have been signed by the Mayor, or unless he fail to veto the same by the next regular meeting. The Mayor may make temporary appointments to fill vacancies occasioned by sickness, absence, or other disability of any city officer, such appointments to be made alone on the recommendation of the Board of Supervisors, or a majority of them. Likewise he may make temporary suspension of officers and policemen for misconducts or inefficiency, but he shall report the same to the next regular meeting of the Board of Supervisors, who shall have power to dismiss any such officer or policeman by a majority of said board voting to concur in such dismission, and any such officer or policeman removed from office under this Act shall be ineligible to hold any office under the city government for the period of one year thereafter. But the Mayor shall have no power to suspend any member of the Board of Supervisors nor to fill any vacancy in said board. And he shall call special meetings of the Board of Aldermen, when, in his judgment, the good of the city requiring it. And he shall state to them in writing the purpose of such meeting which, together with the action of the board, shall be spread on the minutes of the meeting in the regular minute-book and signed by him. The Mayor shall, every three months, or oftener should he be required by resolution of the board, cause to be presented to the Board of Aldermen a full, true, and complete statement of the financial condition of the city which, if accepted, shall be, by the Secretary of the board, spread on the minutes of that meeting and published in one of the city papers. Any neglect or violation of any provision of this section is hereby declared a misdemeanor, subject to indictment in the Circuit Court, and upon conviction the offender shall be punished by fine of not less than twenty-five nor more than fifty dollars, one-half of which shall be paid, when collected, into the city treasury. The Mayor shall, from time to time, communicate to the Board of Aldermen such information, and recommend such measures as may, in his judgment, tend to the improvement of the finance and general welfare and interest of the city. He shall take care that all the ordinances are duly respected and observed, and perform such other duties as may, by ordinance of the Board of Aldermen, be required of him. He shall have power to bid in property for the city at all tax and judicial sales, when the city is a party.

General election.

SEC. 10. *Be it further enacted*, That the first general election for Mayor and Aldermen under this Act shall be held on the third Tuesday in November, 1891, and the new administration shall be sworn in on Friday following the election. The voters shall vote by ballot at such general election, and any person entitled to vote for members of the General Assembly under the laws of Tennessee, and who shall have been a resident of the city for six months preceding the election, shall be entitled to vote and have his vote counted in said election. Non-residents, having a taxable freehold in said city, and being a qualified voter of the State, shall also be entitled to vote.

Regulations for elections.

SEC. 11. *Be it further enacted*, That the judges and clerks and officers of such election shall be appointed by the Board of Aldermen, and shall take an oath to faithfully and fairly discharge their duties. They shall open the polls, conduct the election, and close the same, and count out the vote in such manner as is provided by the election laws of the State. And they shall certify the result thereof to the Mayor, authenticated by the judge and clerks. The ballots shall be received and the voter's name entered and numbered on the poll list and the ballot deposited, and after the ballots are counted out they shall be preserved, replaced in the ballot-box, delivered to the Secretary of the board, who shall hold same, subject alone to the inspection of the Board of Aldermen, or count in case of contest. And in the event of no contest he shall destroy same when the board shall order at any time after thirty days. Upon the returns being certified to the Mayor he shall present the same to the outgoing administration at the next meeting, which shall be Friday after the general election, when the same shall be publicly canvassed and the result declared and install the new board.

Members of Board ineligible to other positions.

SEC. 12. *Be it further enacted*, That no member of the Board of Mayor and Aldermen shall be eligible to the office of Supervisor, or any office or place of employment in the service of the city during the time for which he was elected, nor shall they be directly or indirectly interested in any contract whatever in which the city is concerned, and a violation of this section is hereby declared a misdemeanor, and shall subject the offender to impeachment.

Board of Supervisors.

SEC. 13. *Be it further enacted,* That the present Board of Mayor and Aldermen shall elect from the resident citizens three competent freeholders, each of whom shall have been a resident of said city two years next preceding his election, who shall compose and be known as the Board of Supervisors of said city. At the first election to membership to said board there shall be elected one to serve two years, one to serve four years, and one to serve six years. And thereafter the Board of Mayor and Aldermen, by a majority of the entire Board, shall biennially elect one qualified citizen to fill the vacancy occasioned by the expiration of term, who shall serve six years. In case a vacancy should occur in the Board of Supervisors by death, resignation or otherwise, leaving an unexpired term, the Board of Mayor and Aldermen shall fill the vacancy by election for such unexpired term. The Board of Supervisors shall devote their time and attention to the duties of their office, and shall not engage actively in any other business that will interfere with their duties.

Removal from office.

SEC. 14. *Be it further enacted,* That any member of the Board of Supervisors may be removed from office for incompetency, inefficiency or neglect of duty, drunkenness or other misconduct by a vote of a majority of the Board of Aldermen.

Oath and organization.

SEC. 15. *Be it further enacted,* That said Supervisors, when elected, before entering upon the discharge of their duties, shall take an oath to faithfully perform their duties. The said board shall then organize by electing one of their number President, another Treasurer, and the other Secretary and Financial Agent, who shall also be Clerk or Secretary of the Board of Mayor and Aldermen. The President shall give a bond in the sum of three thousand dollars, with two or more good securites; the Treasurer a bond of $20,000, and Secretary a bond for $3,000, with like securities, payable to State of Tennessee, for the use of the Board of Mayor and Aldermen of Columbia, to be approved by the Board of Mayor and Aldermen, conditioned that they will faithfully and diligently discharge all of the duties of their respective offices, and pay over all money and other property which may come to their hands, according to the provisions of this charter and such ordinances as the Mayor and Aldermen may from time to time enact pertaining to their offices. Such bonds shall be spread on the minutes of the Mayor and Aldermen, as well as the election of the Board of Supervisors, and the original of said bonds filed with the City Board, and said bonds shall be renewed annually upon settlement of the accounts of the Board of Supervisors, a failure to do which vacates the offices. Concurrent jurisdiction with justices of the peace is hereby conferred on such President in all violations of the criminal laws of the State.

City Court.

SEC. 16. *Be it further enacted,* That a court is hereby established to be known as the City Court, which shall be presided over by the President of the Supervisors, who shall try all offenses created by this Act or any lawful ordinance of said city, and impose fines and penalties and enforce the collection and payment of the same or committal to the work-house; and in case he is incompetent to try any such offenders, or be sick or absent, then one of the other Supervisors shall try such cases. The officers, as herein provided, trying such cases shall be entitled to a fee of $1 for trying each case, and such other costs as justices of the peace are entitled to for like services, which shall be taxed up with the bill of costs and fine.

Treasurer.

SEC. 17. *Be it further enacted,* That the Treasurer shall collect and receive all of the taxes and money of said city assessed upon property, subject to be paid out only on the warrant of the Secretary and Financial Agent, countersigned by the Mayor, when the same has been directed or appropriated by the Board of Mayor and Aldermen, and upon the amount so received by him he shall receive two per cent. commission in addition to the salary hereinafter provided. The form, mode of issuance, and preservation of all such warrants shall be regulated by ordinance of Mayor and Aldermen. The Treasurer shall keep a book showing receipts, from what source, and the disbursements, and make monthly reports to the Mayor and Aldermen of the state of the city's financial condition, and accompany each report with all warrants paid in the meantime duly stamped. He shall collect no privilege tax unless the same shall be paid to him on a payable warrant, to be issued by the Secretary and Financial Agent, who is hereby alone empowered to issue all licenses for privileges, which license shall be countersigned by the Mayor.

SEC. 18. *Be it further enacted,* That the Secretary and

Secretary and financial agent.

Financial Agent shall assess all property for taxation as may be provided for by ordinances. He shall issue all license for privileges and collect all the privilege and *ad valorem* taxes growing out thereof and pay the same into the city treasury, for which he shall collect one dollar and fifty cents; one dollar shall go to the Secretary for issuing and fifty cents to the Mayor for countersigning such license. He shall keep the minutes of the Board of Mayor and Aldermen, and shall make monthly reports of all receivable and payable warrants, showing from what source received and on what account disbursed, duplicates of all of which warrants so marked and numbered shall be kept in a well-bound book, and not detached; and no sum whatever shall be paid out of the City Treasury, either for salaries or otherwise, until the same has been audited and appropriated by the Board of Mayor and Aldermen by entries on the minutes in regular meeting, and payable warrants issued therefor by the Secretary and Financial Agent, to be countersigned by the Mayor. A violation of this section is hereby declared a misdemeanor, subjecting the offender to a fine of not more than fifty dollars and impeachment.

Powers of Treasurer.

SEC. 19. *Be it further enacted,* That the Treasurer is hereby vested with the powers conferred by law on the collectors of State and county taxes, and lands shall be condemned and sold for failure to pay taxes in accordance with the laws of the State, for State and county purposes, and the Board of Mayor and Aldermen may, by ordinance, prescribe the mode and manner of collecting delinquent or back taxes.

Estimates of taxes.

SEC. 20. *Be it further enacted,* That the Board of Supervisors shall, annually, at the beginning of each fiscal year, make estimates of the amount of taxes and moneys to be received in the city treasury for city purposes for the ensuing year, and on no account shall expenditures exceed the amount to be received according to said estimate, except in extraordinary cases. Said Supervisors shall also perform all such other duties as may be prescribed by ordinance.

Powers and duties of Supervisors.

SEC. 21. *Be it further enacted,* That the Supervisors shall appoint all necessary policemen, and shall appoint such other officers, agents, and employes as may be necessary to execute the laws, and to direct and carry out the intent of this Act; and shall have paved and keep in repair the streets, sidewalks, alleys, culverts, and bridges, and to supervise and manage the city affairs generally, subject, however, to such ordinances and regulations that the Board of Aldermen may enact, which may enure to the health, good order, and government and general welfare of the city and its inhabitants, and the cost of each department of the city government shall be kept separate, and every payable warrant shall recite the claim on which it was paid.

Mayor.

SEC. 22. *Be it further enacted,* That the Mayor shall have no power or authority whatever to remit in whole or in part, or suspend, or in any manner interfere with the enforcement of any fine and penalty imposed by the the City Court on offenders; *provided, however,* he may, upon petition of the entire Board of Supervisors, endorsed and approved by a majority of the Aldermen, remit, suspend, or pardon such offender, upon paying or securing the city from costs. A violation of this section is hereby declared a misdemeanor, subjecting the offender to a fine of fifty dollars on conviction before the City Court, and impeachment.

Salaries.

SEC. 23. *Be it further enacted,* That the President of the Board of Supervisors shall have a salary of $500; the Treasurer a salary of $400; and the Secretary a salary of $600 per annum, and the perquisites of their respective offices, for their services, and no more on any account or pretense whatever, and a violation of this section is hereby declared unlawful, and the offender, upon conviction, shall be liable to dismissal from office, and shall be liable on his bond for any such excess and interest so taken, directly or indirectly.

Police and other employes.

SEC. 24. *Be it further enacted,* That the regularly appointed police are empowered to execute State warrants and other processes which constables generally have the power to execute, and execute all process issued by the City Court, or on behalf of the city, for which cost may be taxed, as in case of constables under the general law; and such policemen shall receive no salary or compensation whatever out of the city treasury other than such as may be fixed by the Board of Supervisors and approved by the Board of Aldermen; and such salaries shall be paid only by payable warrants ordered by the Aldermen; and likewise as to the employment and compensation of the street overseers, and other officers and agents.

Conflicting Acts repealed

SEC. 25. *Be it further enacted,* That all laws and parts of laws heretofore enacted incorporating the city of Columbia and amendatory thereto, and which are in conflict with the provisions of this Act, are hereby repealed; *provided,* that the present Board of Mayor and Aldermen of said city shall continue in office, and exercise and perform all the duties thereof until their successors are elected and qualified under the first general election provided for in section 10 of this Act. *And provided further*, that all ordinances and resolutions heretofore enacted by the Mayor and Aldermen of said city, not in conflict with this charter, and not repealed or rescinded by them, shall be and remain in full force and effect until altered, modified or repealed by this Act.

This Act a public law. SEC. 26. *Be it further enacted*, That this Act is declared to be a public law, and may be read in evidence in all courts of law and equity without special proof or pleading; and all ordinances, resolutions and proceedings of the city may be proven by the seal of the corporation, attested by the Secretary, and when printed and published by authority of the city, the same shall be received in all courts and places without further proof.

SEC. 27. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 69.

AN ACT to reduce the Acts incorporating the city of Paris, in Henry County, and the various amendments thereto, to one Act, and to amend the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act incorporating the town of Paris, in Henry County, and the various amendments thereto, be and the same are hereby amended so as to read as follows: **Boundaries.** The inhabitants of the city of Paris within the following boundaries, heretofore established, are hereby constituted a corporation and a body politic by the name and style of the Mayor and Board of Aldermen of the city of Paris. The boundaries of said city of Paris shall be as follows: Beginning at the south-east corner of Mrs. J. H. Dunlap's yard, running thence west 177 poles to a rock 20 feet east to Russell's Lake; thence north 240 poles to a stake in the north-west corner of the "Old Fair Ground;" thence east 177 poles to a stake north of the west end of the trestle east of "Thompson's mill;" thence south 240 poles to the beginning.

Powers of Board.

SEC. 2. The Mayor and Board of Aldermen of the said city of Paris shall have perpetual succession; shall sue and be sued; implead and be impleaded in all the courts of law and equity, and in all actions whatsoever may purchase, receive, and hold property, real and personal, within said town; and may purchase, receive, and hold property, real and personal, beyond the limits of the town, to be used for the burial of the dead, for the erection of the water-works, work-houses or houses of correction, and all other property needed for corporation purposes; and may sell, lease or dispose of such property for the benefit of the town, and to do all other acts touching the same as natural persons. They shall have and use a common seal which shall be "City of Paris," Tennessee, encircling the word "seal," and may change the same at pleasure.

City Council.

SEC. 3. The officers of the city of Paris, to be chosen by the people, shall be a Mayor and Board of Aldermen, constituting a City Council, each and all of whom shall be citizens of and voters in said city. The Board of Aldermen shall consist of six (6) members chosen by the qualified voters of said city for two years. No person shall be an Alderman unless he be a *bona fide* resident of the city for which he is chosen, and shall be owner of a freehold estate of the value of two hundred and fifty ($250) dollars. An Alderman, after the election, removing from the city shall thereby vacate his said office.

Officers.

SEC. 4. The City Council shall, at its first meeting in each year, elect a City Treasurer, a Recorder, a Marshal and such other officers, servants and agents as they may deem necessary and may provide by ordinance, and shall have power to prescribe the duties of same, all of which officers, agents and servants shall be *bona fide* citizens of and voters in said city. The City Council shall also fix the compensation of such officers before their election, which compensation shall not be increased or diminished during their continuance in office. The Council shall also have power to dismiss the Marshal, officers, servants and agents elected or by them appointed, two-thirds of said

Council concurring in such dismissal, for any misdemeanor or misconduct. The City Council shall, at its last meeting in March, also fix the salaries of the Mayor and Board of Aldermen, Marshal and Recorder to be chosen for the next corporate year, in April, which compensation shall not be changed, unless two-thirds of the new Board of Mayor and Aldermen concur therein, and then not increased during their continuance in office. The salaries of any of the officers, agents and servants shall be fixed by the incoming Board of Mayor and Aldermen.

Salaries.

SEC. 5. The City Council shall have power, by ordinance, within the city—

Powers of City Council.

1. To levy and collect taxes upon all real and personal property, polls and privileges taxable by the laws of the State.

2. To appropriate money and provide for the payment of the debt and expenses of the city.

3. To make regulations to prevent the introduction of contagious diseases into the city, or appoint a Board of Health for the purpose, who are empowered to enforce the same within one mile of the city limits.

4. To establish hospitals and make regulations for the government of the same.

5. To establish a system of free schools and maintain them by taxation, when such taxation shall have been ratified by two-thirds of the qualified voters of the city, and to regulate the said schools so as to avoid sectarian influence.

6. To make regulations to secure the general health of the inhabitants and to prevent nuisances.

7. To provide the city with a system of water-works within or beyond the corporate limits, and may for that purpose issue bonds upon the faith and credit of the city, not to exceed fifty thousand dollars ($50,000), said bonds to have interest coupons attached bearing a rate of interest not to exceed five (5) per cent. per annum, and said bonds to be signed by the Mayor and Recorder and Treasurer, provided two-thirds of the qualified voters of the city acquiesce in the issuance of such bonds at an election specially called by the Board of Mayor and Aldermen of said city for that purpose, and to levy and collect taxes for the payment of the interest and principal of same.

8. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, keep in repair streets, alleys, and sidewalks, or have the same done.

9. To lay, build, grade and establish sidewalks and pavements wherever the same may be needed within the

corporate limits of said city; requiring the owners of the property adjacent, adjoining or abutting said pavements and sidewalks to pay for constructing the same, and a lien is hereby given on all such property to secure the cost of said improvements, which said lien shall continue in force for twelve (12) months from the completion of said pavements and sidewalks, and enforce by attachment at law or bill in equity.

Powers of City Council.

10. To erect, establish and keep in repair bridges, culverts, sewers and gutters.

11. To provide for lighting the city, and for this purpose the Mayor and Board of Aldermen are hereby empowered, in their corporate capacity, to issue the bonds of said city, signed by the Mayor and countersigned by the Recorder or Treasurer, and to bear interest not to exceed five (5) per cent. per annum, said bonds to be issued to an amount not exceeding fifteen thousand ($15,000) dollars; *provided* an election is first called by the Board of Mayor and Aldermen, and three-fourths of the votes cast at said election be for the issuance of such bonds, and to provide for the payment of interest and principal of such bonds by levying and collecting a special tax for same, and may establish a gas or electric light plant, or own stock in same by purchase or otherwise in said city.

12. To erect market-houses, to establish markets and regulate the same.

13. To provide for the erection of all buildings necessary for the use of the city.

14. To provide for the inclosing, improving and regulating all public grounds belonging to the city, in or out of the city limits.

15. To license, tax or regulate everything or person licensed, taxed or regulated by the State or county.

16. To regulate or prohibit and suppress all disorderly houses and bawdy houses.

17. To provide for the prevention or extinguishment of fires, to organize and establish fire companies, to regulate, restrain and prohibit the erection of wooden buildings in any part of the city, to regulate and prevent the carrying on of manufactures dangerous in causing and preventing fires.

18. To regulate the storage of gunpowder, tar, pitch, rosin, saltpetre, assafœtida, gun-cotton and all other combustible materials, and the use of light, candle and stove-pipes in all stables, shops and other places.

19. To establish standard weights and measures, and

regulate the weights and measures to be used in the city in all cases not otherwise provided for by law.

Powers of City Council.

20. To provide for the inspection of lumber and other building material.

21. To provide for the inspection and weighing and measuring of everything not prohibited by State law.

22. To regulate the police of the city, to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of the same, and to appoint an officer for the city, being the Recorder, before whom such recovery may be had, not, however, to exclude the jurisdiction of any Justice of Peace in the county of Henry in cases to be hereinafter provided for.

23. To provide for the arrest and confinement, until trial, of all disorderly or notorious persons within the city, by day or by night; to authorize the arrest or detention of all suspicious persons found violating any ordinance of the city.

24. To prevent and punish by pecuniary penalties or otherwise, all breaches of the peace, noise, disturbance or disorderly assemblies in any alley or street, house or place in the city, by day or by night.

25. To fix from time to time the number and boundaries of the city wards, which shall not be changed oftener than every five (5) years.

26. To prevent and recover for all encroachments into and upon all streets, lanes, avenues, and alleys established by law or ordinance.

27. To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same, and of the gutters at the expense of the owners of the ground fronting thereto.

28. To pass all ordinances, not contrary to the Constitution and laws of the State, that may be necessary to carry out the provisions and full intent and meaning of the object of their incorporation.

29. To commit any person who may fail or refuse to pay any fine or cost imposed on him by any ordinance of said city to the jail or work-house until such fine and cost be fully paid. Every person so committed to the jail or work-house shall be required to work for the city at such labor as his or her health and strength will permit, within or without said jail or work-house, not exceeding ten hours each day, and for such work the person so employed shall be allowed, exclusive of his board, a credit

upon such fine and cost of fifty cents a day, until the whole is discharged, when he shall be released; *provided,* that no person shall be confined or compelled to work longer than three (3) months for any one offense.

30. To prepare and have published a digest of all the ordinances and resolutions of a public nature now in force within six months after the passage af this Act, and a like digest thereafter as often as may be needed.

31. No member of the City Council shall become a bondsman for any officer, agent or servant of the city.

Officers and elections.

SEC. 6. The election for Mayor and Board of Aldermen of said city of Paris shall be held by the Sheriff of Henry County, either in person or by deputy, aided by two clerks only, and three judges, all of whom shall be legal voters in said city, on the first Saturday in April of each year, after giving ten (10) days notice. The voters shall vote by ballot and under such rules and regulations as the Board of Aldermen may prescribe as to the place, hours, etc., of voting by ordinance. The officers of the city thus chosen shall go into office on the second (2) Saturday in April, the Aldermen to hold office for two (2) years, the Mayor, Marshal and Recorder for one (1) year, or until their successors are elected and qualified. The following shall be qualifications for voting in city elections:

Qualifications of voters.

1. He shall be qualified to vote for State and county officers.

2. He shall have resided for six (6) months preceding the election within the city limits, or shall be a *bona fide* owner of real estate within the city limits of the assessed value of at least $50.

Officers of election.

SEC. 7. The judges and clerks to hold the election shall be sworn and qualified according to the election laws of the State, and the said election shall be conducted in all respects as are the various State and county elections, by virtue of the election laws of the State. The judges and clerks shall file the poll list with the City Recorder, who shall preserve the same.

Returns of election.

SEC. 8. The person receiving the highest number of votes respectively for Mayor and Aldermen shall be declared elected, and it shall be the duty of the officer holding said election to make out and deliver to the Recorder a certificate of their election within three (3) days thereafter, which certificate will be produced at the first meeting of the board, and a minute thereof shall be made upon the records of the city, and if the Sheriff shall fail to hold an election at the time herein mentioned it shall be his duty to hold it as soon as may be after giving the required notice, and for failure to hold the election as prescribed in this Act he shall forfeit and pay to the said corporation the sum of fifty ($50.00) dollars, to be recovered by action of debt in the name of the Mayor and Board of Aldermen of the city of Paris, and if there be no Sheriff of said county the election shall be held by the Coroner of said county under the same rules, regulations and penalties as are hereinbefore prescribed.

Quorum, vacancies and oath.

SEC. 9. A majority of the City Council shall be a quorum to do business, and if the Mayor, Marshal, Recorder or any of the Aldermen or any officer should die, resign or move out of the city limits, the vacancy shall be supplied by the City Council at its next meeting, or as soon thereafter as may be, after giving ten (10) days' notice thereof, and the person or persons so elected shall perform the same duties and be vested with the same powers and privileges as the person whose duties they are appointed to fill, and upon like condition the Mayor, Recorder, Marshal, Treasurer and Aldermen shall respectively take an oath, before entering upon the duties of their office, to execute the same faithfully and impartially, and also the Mayor and Aldermen shall take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee.

Qualification and duties of Mayor.

SEC. 10. That the Mayor shall hold his office for one (1) year and until his successor shall be elected and qualified. No person shall be elected Mayor who is not at the time of his election a citizen of the State of Tennessee and a *bona fide* citizen of and voter in the said city. A vacancy in the office of Mayor shall be filled by the Board of Aldermen. The Mayor may fill all vacancies occurring in the offices, except that of Alderman, until the same be filled by an election by the City Council. It shall be the duty of the Mayor to preside at all meetings of the council, to vote in the election of all officers of the city, to see that all the ordinances of the city are duly enforced, respected and observed within the limits, to call special sessions of the council when he may deem expedient, and to perform such other duties as the City Council may, by ordinance or otherwise, impose upon him. A Recorder's Court is hereby established, and the Recorder is hereby vested with all the powers of a magistrate of Henry County, and shall try all offenses against the peace and dignity of the city of Paris, and he may fix an hour for the convening of his court each

Recorder's Court.

day to try the offenses; *provided, however*, that a change of venue may be had in any case when an affidavit is made by the accused and at least one disinterested party, that justice, in their opinion, will not be meted out by the Recorder, to a magistrate of the county of Henry, who is hereby authorized to try and decide such case or cases. In the event an appeal is taken from any fine imposed by the Recorder of said city for violation of any of its ordinances to the Circuit Court at Paris, Tennessee, the person so appealing shall give bond and security for the payment of said fine and cost, and to abide by and perform the judgment of the court on appeal, and shall in no case be entitled to an appeal from said fine and cost on the pauper's oath. The Marshal shall acquaint himself thoroughly with the laws and ordinances of the city, and it shall be his duty to rigidly enforce the same, for which purpose police authority is hereby given him, which he may exercise without warrant in hand. He shall collect all taxes levied by the council, except privilege and special taxes, and shall perform such other duties as the City Council may, by ordinance, impose upon him. He shall have power to execute State warrants and other process which constables generally have within the city limits. The Recorder shall keep an accurate minute of all the proceedings of the City Council, issue all privilege license and collect taxes on the same. He shall collect all special taxes levied by the City Council and keep a proper ledger account of the same. He shall have supervision over the city cemeteries, and shall, at the prices fixed by the council, sell all grave lots, keeping a faithful record of all such lots sold according to the plot of the cemetery. He shall receive as his fee from parties taking out license or purchasing grave lots one dollar for each license issued or grave lot sold. He shall make out the city tax books and turn the same over to the Marshal for collection, taking his receipt therefor, under the State laws regulating and governing the assessors of State and county taxes. The compensation for this service shall not exceed, annually, twenty dollars. He shall have supervision over and care of other city property, unless otherwise provided by ordinance, and in the absence of the Recorder, or when for any other reason the Recorder is incompetent or disqualified by law from trying offenses against the city ordinance in any case, the party or parties so charged shall be carried before a justice of the peace for Henry County, who

Marshal.

Recorder.

shall have all the power to try said offenses vested in the Recorder, but in no event shall any such offender be tried outside the city limits. The Recorder shall perform such other duties as the City Council may, by ordinance, impose upon him. **Treasurer.** The Treasurer shall receive from the City Marshal and Recorder, receipt for, take care of and keep a proper account of all funds of whatsoever nature that may come into his hands. For such purpose he shall keep such book or books as the City Council may direct. He shall make out and present, quarterly, a full and explicit account and report of all finances under his control, and also a complete statement of the finances of the city, which report the City Council may order published for the information of the city. **Bond.** Before entering upon the discharge of his duties he shall give bond, with good securities, conditioned upon the faithful and honest discharge of all the duties pertaining to his office, and similar in all respects to that of the Marshal and Recorder, as hereinbefore provided. He shall perform such other duties pertaining to his office as the City Council may, by ordinance, provide. His fee shall not exceed two and one-half per cent. of all moneys passing through his hands, and may be fixed at a less sum by the City Council.

Fees. SEC. 11. The Mayor and Marshal shall receive such fees as Justices of the Peace and Constables are authorized to receive for rendering judgments, service of process, etc., and the Marshal shall receive such other fees for other services as the City Council may allow him.

Official bonds. SEC. 12. Before entering upon the discharge of their duties the Recorder, Marshal, and Treasurer shall enter into bond with good securities in double the supposed amount of money which may come into their hands, conditioned upon the faithful discharge of their duties, and upon the diligent collection and faithful accounting for all moneys that shall or ought to come into their hands for fines, forfeitures, and other moneys due said city, and which ought by law to be collected and paid over by them, and the said Marshal shall be liable as herein mentioned for failing to collect money collected by process issued by the Recorder or Mayor; said bonds shall be made payable to the Mayor and Board of Aldermen of the city of Paris, and their successors in office, for the use and benefit of said city; said bonds shall be filed and carefully preserved among the records of said city. The City Marshal and Recorder shall pay over to the Treasurer all sums of money by them received for the said city of Paris. They shall both render quarterly, and as much oftener as the City Council may require, full and complete statements of the finances under the control of each of them.

SEC. 13. The duties of the other officers, servants, and agents of the city shall be such as the city may by ordinance prescribe.

SEC. 14. It shall be the duty of the jailer of Henry County to receive and keep in jail any person who may be committed to his charge for a breach of the by-laws or ordinances of said city, and all riotous and disorderly persons committed to his charge by the City Marshal or other officers of the city, for which he shall receive such fees as may be contracted by the City Council, by and with his consent.

Jailer.

SEC. 15. In all cases where there have been conveyed by any person or persons to the former corporation of the town or city of Paris, any roads, streets, alleys, lots, graveyards or other property, the same shall inure to the use of said corporation hereby created, and vest in it forever, and in all cases where the town or city of Paris, by Commissioners or by the Mayor or Board of Aldermen, has heretofore sold or conveyed property, such sales and conveyances are made valid and good to the purchaser, and all possessions held under and by virtue of said sales and conveyances shall be effectual to carry the legal title and estate in the same to persons holding possession and their heirs forever.

Former conveyances valid

SEC. 16. When any tax or duty shall be levied or imposed by said corporation upon real estate lying within said city of Paris, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the City Marshal make return of that fact and under oath, the owner or owners have no personal property within the said city upon which to distrain for the said tax or duty, it shall be the duty of the Recorder, by and with the advice and consent of the council, to take such steps for the collection of such taxes or duties as are or may be provided by the laws of the State.

Delinquent taxes.

SEC. 17. If the Recorder or City Marshal of said city shall fail to collect, or after collecting shall fail or refuse to pay over any moneys by either of them received for the use of said city, said Recorder or Marshal, as the case may be, shall be liable to be proceeded against by motion or suit at common law in the Circuit Court of Henry County, or any other court having jurisdiction of the person of such Recorder or Marshal, as the case may

Liability of collecting officers.

be; and it shall be the duty of such court to enter upon judgment against such delinquent officer and his securities for the money so received, or that ought to have been collected, in the name of the Mayor and Board of Aldermen of the city of Paris, for the use of said corporation, provided that, if the proceedings be by motion, such officer shall have five (5) day's notice thereof.

Terms of office of aldermen.

SEC. 18. *Be it further enacted,* That the present Aldermen, whose terms of office expire on the second Saturday in April, 1892, shall continue in office until the expiration of their said terms of office, or until their successors shall be elected and qualified as herein provided, and that at the first election under this Act three (3) Aldermen shall be elected to succeed those whose terms of office expire on the second Saturday in April, 1891, and forever thereafter there shall be three (3) Aldermen elected annually to hold two (2) years, or until their successors are elected and qualified.

Election.

SEC. 19. *Be it further enacted,* That the first election under this Act shall be holden on the first Saturday in April, and the present Board of Mayor and Aldermen, Marshal, Recorder and Treasurer, shall hold over until their successors are elected and qualified.

Repeal.

SEC. 20. *Be it further enacted,* That all Acts or parts of Acts contrary to or inconsistent with the provisions of this Act, or within the purview thereof, are hereby repealed.

SEC. 21. *Be it further enacted,* That all ordinances and by-laws heretofore enacted by the City Council, and not repealed or rescindered by them, shall be and remain in full force until altered, modified or repealed under this Act.

SEC. 22. *Be it further enacted,* That this amended charter shall take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 70.

AN ACT to incorporate the city of Athens in the county of McMinn, and State of Tennessee, and to provide for the election of officers thereof and prescribe their duties, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Athens, in the county of McMinn, and the inhabitants thereof, be and are hereby constituted a body politic and corporate under and by the name of the city of Athens, may sue and be sued, grant, receive, purchase, and hold real estate, mixed and personal property, and dispose of the same for the use and benefit of said city, and may have and use a common seal, and change the same at pleasure. Incorporation.

SEC. 2. *Be it further enacted,* That the corporate limits of said city of Athens shall be as follows: Beginning at the east corner of the old "White House," on the Cog Hill road, thence in a straight line by the south-east side of said "White House" to Eastanallee Creek; thence in a straight line to a large poplar tree (a small poplar tree being a little south of larger one) standing on the south-west side of the Van Dyke private road; thence on a straight line to the center of Matthews' mill road; thence in a straight line by to south corner of and so as to include the property known as the Lon Blizzard property near the fork of the Cedar Springs and Riceville roads; thence with the south-west side of the Lon Blizzard lot in a straight line to the East Tennessee, Virginia & Georgia Railroad; thence in a straight line to and so as to include the house known as the "Clark House;" thence due north to the present southern boundary of the town of North Athens; thence with said line following its variations to a point opposite the north-east line of the residence property of W. Gettys, situated on Woodland Avenue, said point being determined by continuing said north-east line of said W. Gettys' lot; thence in a straight line to the Eastanallee bridge on the Madisonville road; thence with the meanderings of Eastanallee Creek to a point on the north bank of the same due north from said "White House;" thence in a straight line to the east corner of said "White House." Limits.

SEC. 3. *Be it further enacted,* That the said city of Athens shall be divided into five wards, as follows: All

Ward Boundaries.

the territory included within the following shall constitute the First Ward: Beginning at the Eastanallee Creek on the north-east side of Madison Avenue, running thence with said avenue and Washington Street to the north corner of the Public Square; thence with Jackson Street in a south-eastern direction to the proposed corporation line; thence with said boundary line to the beginning. All the territory included within the following boundary shall constitute the Second Ward: Beginning at the corporation limits on Jackson Street, thence with Jackson Street to the north corner of the Public Square; thence with Washington Street and the Riceville road in a western direction to the corporation limits; thence with the corporation boundary line to the beginning point. All the territory included within the following boundaries shall constitute the Third Ward: Beginning on the north corner of the Public Square, thence with Jackson Street to College Street, thence with College Street to Church Street, thence with Church Street a direct line to the East Tennessee, Virginia & Georgia Railroad; thence to the west corner of the Euclid Hotel, thence with the line of the street leading north-east to the boundary line of the town of North Athens; thence in an eastern direction with the variations of said boundary line of North Athens, and with the boundary line of the said city of Athens to the Madisonville bridge. All the territory included within the following boundaries shall constitute the Fourth Ward: Beginning at the north corner of the Public Square, thence with Washington Street and the Riceville road to the boundary of the incorporation; thence with the boundary line to East Tennessee, Virginia & Georgia Railroad; thence with said railroad to the west corner of the Third Ward; thence with Church Street to College Street, thence with College to Jackson, thence with Jackson to the beginning. All the territory included within the boundary lines of said corporation, except that out of which the First, Second, Third, and Fourth Wards are hereinbefore created, shall constitute the Fifth Ward; *provided*, that if any other territory shall be acquired, either by application or otherwise, under the general laws of the State it may be organized into one or more wards in the discretion of the Board of Mayor and Aldermen.

SEC. 4. *Be it further enacted*, That the sheriff of McMinn County, after this Act becomes a law, after giving ten days' notice in some newspaper published in Athens, Tennessee, or by written notices posted in five public places in said town, shall open and hold an election in the city of Athens on the third Monday in April, 1891, and on the third Monday in April of each and every succeeding year, for the purpose of electing two persons from each of the wards hereinbefore described and bounded, to serve as Aldermen for the corporation of said city of Athens for one year, and all persons living within the limits of said corporation who would be qualified to vote for members of the Legislature of this State, and all male persons twenty-one years of age who have owned real estate within the limits of said incorporation for ninety days next preceding an election, the value of their interest in which is not less than $100 according to the city assessment, shall be entitled to vote in said election; and no person shall be eligible to the office of Alderman unless he be twenty-five years of age, and a citizen or householder in the corporate limits of said city of Athens. *Provided* that at any subsequent election after the one herein provided for it will be held by the City Marshal or by any other persons duly and properly authorized by the Mayor and Board of Aldermen, and upon such notice as hereinbefore prescribed. *Provided further*, that in case of the death, removal or resignation of any one of said officers of said corporation, the Mayor and Aldermen shall have power to fill such vacancies for time unexpired, and should the Mayor's office become vacant, the Board of Aldermen shall select one of their own number to fill the unexpired term.

Election.

SEC. 5. *Be it further enacted*, That the several persons so qualified, as aforesaid, having received the highest number of votes at any election held shall be declared elected, and the sheriff holding the election aforesaid shall, within three days thereafter, give to each of the Aldermen a certificate of their election; and it shall be the duty of the persons so elected to meet at a suitable place in the town of Athens, so soon as they receive the certificates of their election, and after having been qualified or sworn into office they shall proceed to elect a Mayor, whose term shall be for one year, or until his successor is elected and qualified, a Mayor pro tem. to act in the absence or disability of the Mayor without compensation, a Recorder and a City Marshal.

Certificates of election.

SEC. 6. *Be it further enacted*, That any citizen shall be eligible to the office of Mayor who is thirty years of age and has been a resident of said city for two years next

Eligibility.

preceding the election. His compensation shall be fixed by the Board of Aldermen.

SEC. 7. *Be it further enacted,* That any citizen shall be eligible to the office of Recorder who is twenty-five years of age and a resident of said city for two years next preceding his election. His compensation shall be fixed by the Board of Aldermen.

General powers of the corporation.

SEC. 8. *Be it further enacted,* That the corporation aforesaid shall have full power and authority to make and pass such laws and by-laws as are necessary to prevent or remove nuisances; to provide for licensing and regulating auctions; taxing, regulating or restraining theatrical or public amusements and shows or exhibitions within the bounds of the corporation; for restraining or prohibiting gambling; to regulate the sale of intoxicating liquors, beer, ale or malt liquors; to establish night and day watches and patrol; to ascertain, when necessary, the boundary and location of streets, lanes and alleys; to have and keep in repair the streets and alleys, and pass all laws necessary for the same; to erect and regulate markets, drayage and personal privileges; to provide for the establishment and regulation of a fire company, the sweeping of chimneys and the safe condition of flues; to impose and appropriate fines, penalties and forfeitures for a breach of by-laws or ordinances; to build and keep in good condition a lock-up or calaboose for the safe keeping of persons before trial who violated any of said ordinances or by-laws of said corporation; to levy and collect taxes on privileges, real and personal property, for the purpose of carrying the necessary measures into operation for the benefit of said city; to regulate the speed of locomotive engines and cars passing through said corporation, and prevent engines and cars from blocking up the public highways at their crossings or standing in a certain prescribed distance from the crossings of said highways for longer time than is actually necessary to transact their business; to establish fire limits and such general regulations, by ordinance, for the prevention and extinguishment of fires as they may deem expedient; to regulate the storage and transportation of illuminating oils, high explosives, gunpowder, tar, pitch, resin and other explosives and combustible material, and to regulate or prohibit the use of fire arms; to open, alter, abolish, widen, extend, establish, grade, pave or othewise improve and keep in repair streets, avenues, lanes and alleys, sidewalks, drains and sewers, and to provide for the planting and protection of shade trees

General powers of the corporation.

upon the streets, avenues or parks, or other public grounds, and regulate the same; to provide for lighting the streets or public grounds by gas or electricity or otherwise, and to erect lamp-posts, electric towers or other apparatus; to remove all obstructions from the streets, lanes, avenues, alleys or sidewalks and curbstones within the city, and prevent or remove all encroachments into or upon all or any streets, lanes, avenues or alleys within the city established by law or ordinance; to regulate the running of horse railway cars or cars propelled by dummy engines, cable or electricity, and the laying down of tracks for the same, the transportation of passengers thereon and the form of rail to be used, and to require railroad companies using streets to lay their tracks at the official grade thereof, and require them to bring such streets between the sidewalks to the official grade at their own expense, and to compel them to pave and keep in repair the streets between their tracks and for a distance of two feet on each side of the same; to erect and maintain a work-house and house of correction, and provide for the regulation and government thereof; to prevent and restrain riot, noise, disturbances or disorderly assemblages in any street, house or place within the city, breaches of the peace, fighting or disorderly conduct; to prohibit and punish the abuse of animals; to provide the city with water, erect hydrants and pumps, construct cisterns and reservoirs, to lay pipes for conducting and distributing water over the city and keep the same in repair; to acquire and own stock in any water company organized for the purpose of supplying said city with water for domestic, irrigating, mechanical or other purposes; to build and construct reservoirs for the storage of water; to construct or purchase water-works for the use of the city and enlarge their capacity from time to time and keep the same in repair, and generally to do whatever may be needful and necessary to be done, by contracting with water companies or otherwise, in order to supply the city with water for fire, irrigitation, domestic, mechanical and other purposes, and regulate the same and fix the price to be charged private consumers thereof; to establish and enforce quarantine laws and regulations and enforce the same within the city and within one mile thereof; to prevent or regulate the driving of stock through the city; to restrain cattle, horses, hogs, sheep, dogs and all other animals from running at large, and to prevent the erection and maintenance of barb wire fences within the city limits, and to authorize the summary sale or other disposition of horses, cattle, sheep, dogs and other animals found running at large within the town; to regulate or prevent the use of fire-works, and regulate or prevent the carrying on of manufactures dangerous in causing or promoting fires; to require parties, before erecting any building, to obtain a building permit upon written application to the Mayor and Board of Aldermen; to make all ordinances which shall be necessary and proper for carrying into execution the powers specified in this Act, and to make all ordinances which it may deem necessary or requisite for the good order, health, good government, and general welfare of the city, and also for the protection and preservation of any city property, privileges and franchises, and enforce the same by a proper fine, imprisonment or other penalties.

To establish grade of streets

SEC. 9. *Be it further enacted*, That the Mayor and Board of Aldermen shall have the power to establish the grade of the streets of said city of Athens, and where the grade of any street shall have been established it shall not thereafter be changed unless the owners of two-thirds of the frontage in feet of lots fronting and abutting upon the grade proposed to be changed, shall petition for such change.

Oath of office.

SEC. 10. *Be it further enacted*, That the Mayor and Aldermen, Recorder and City Marshal of said city shall, before entering upon the duties of their office take an oath before some justice of the peace of McMinn County to faithfully, uprightly and honestly demean themselves as Mayor, Aldermen, Recorder and Marshal of said corporation during their continuance in office.

Marshall.

SEC. 11. *Be it further enacted*, That the Marshal so elected shall continue in office for twelve months from the time of his election, but may be discharged from his office for unfaithfulness in the discharge of his duties by a vote of the majority of the board, and before entering upon the duties of his office give bond with good solvent security, payable to said corporation, in the sum of five hundred dollars, to be approved by the board, for the faithful discharge of the duties of his office, and to account for all moneys by him collected as fines, costs, taxes and privileges; and the Recorder, before entering upon the duties of his office, shall give bond, fixed by the Board of Aldermen, with good solvent security, payable to the corporation, to be approved by the board, to faithfully discharge his duties as an officer, and to account for and faithfully pay over all money as he may be directed by said board, and shall hold his office for twelve months from the time he was elected, but may be discharged from his office for unfaithfulness by the board, who shall have power to fill his unexpired term by appointment.

Duties of Mayor.

SEC. 12. *Be it further enacted,* That it shall be the duty of the Mayor to preside at all the meetings of the board; to see that all the ordinances and by-laws of the corporation are duly and properly enforced, respected and observed within the town, and call special meetings of the Board of Mayor and Aldermen whenever he may deem it expedient; to make such suggestions and give instructions in reference to the action of said board as, in his judgment, will be most conducive to the interest of said corporation; to give orders upon the Recorder of said board, whenever said board direct the same to be done, for the payment of any money that may be due from said corporation; to employ counsel in behalf of said corporation in any case in which said corporation may be interested, when, in his judgment, the same may be necessary.

Marshal and Recorder.

SEC. 13. *Be it further enacted,* That the Marshal shall pay over monthly to the Recorder all sums of money collected by him for said corporation, taking receipt for same, and the Recorder shall render semi-annually each year, and as often as the Mayor and Board of Aldermen shall require, a full and complete statement of the finances under his control, and the Recorder shall exhibit to the board a complete statement of the finances of said corporation; and he shall also, within thirty days from the time of assessing the taxes of said corporation, deliver to the town Marshal a tax list, which shall be the authority of the town Marshal for collecting the taxes specified therein, and the Recorder shall preserve a copy of said tax list with the papers of said corporation; for assessing and making out tax list the board may make such compensation to the Recorder for doing the work as they think just and right. No money shall be paid out except by the Recorder, and in no case shall he do so except upon the order of the Mayor, made in pursuance of the direction of the Board of Aldermen. At the expiration of his term of office the Recorder shall deliver to his successor all books and papers, money and other valuables belonging to the corporation, and take his receipt for same, and make a final settlement with the Board of Mayor and Aldermen.

SEC. 14. *Be it further enacted,* That in addition to the duties already imposed upon the Recorder by this Act, he shall be vested with full power and authority to try all offenses for violation of the ordinances and by-laws of said corporation, and said Recorder of the town of Athens be and is hereby invested with concurrent jurisdiction with Justices of the Peace in all cases of the violation of the criminal laws of the State or of the ordinances or by-laws of the Board of Mayor and Aldermen of the town, within the corporate limits of said town, and for trying State offenses shall be allowed and entitled to the same fees now allowed to Justices of the Peace for like services. Said Recorder shall keep a regular docket in a well-bound book, the same as are kept by Justices of the Peace, and shall docket every case tried by him, and show amount of bills of cost of the same.

Treasurer.

SEC. 15. *Be it further enacted,* That the Recorder of said town shall also be its Treasurer, and shall give bond to the town with sufficient sureties, to be approved by the Board of Aldermen, in the sum of five thousand dollars, or for such additional sum as the Board of Aldermen shall require, conditioned upon the faithful performance of the duties of his office as Treasurer, and to pay over to his successor in office all such sums of money belonging to the town as shall be in his hands.

Work-house and calaboose.

SEC. 16. *Be it further enacted,* That the Board of Mayor and Aldermen of said corporation shall have full power and authority to erect a work house and lock-up or calaboose for the safe-keeping of persons when arrested, who fail to give bond or fail to put up forfeitures for their appearance before the Recorder for trial, and when any person or persons have been convicted of any violation of any by-laws or ordinances of said corporation, fails or or refuses to pay, or secure to be paid, the fine and cost accruing thereon, the Mayor and Aldermen may proprovide by an ordinance for their confinement in said lock-up, work-house or calaboose, and put them to work for the town, either within an inclosure, on the streets or other public works, under proper guard, or secured by ball and chain, at such wages as the Board may adopt by ordinance, until said costs and fines are paid.

Dismissal from office.

SEC. 17. *Be it further enacted,* That the Board of Mayor and Aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, including the Recorder or Marshal, for incompetency, or any violation, neglect or disregard of the duties imposed upon them by the by-laws and ordinances of said corporation; *provided,* that two-thirds of the Board of Mayor and Aldermen concur in the dismissal or removal.

New streets.

SEC. 18. *Be it further enacted,* That the Mayor and Aldermen of the city of Athens shall have full power and authority to lay off and open new streets, lanes, and alleys in said city, and extend the old ones for the convenience of the inhabitants thereof, in the manner and mode prescribed by Sections 1388, 1389, 1390, and 1391 of T. and S. Code of Tennessee; also may require the owners of business houses in said city to make good brick, gravel, stone or wood pavements in front of their said business houses.

Additional powers of Board.

SEC. 19. *Be it further enacted,* That the Board of Mayor and Aldermen of the town of Athens shall have full power and authority, by ordinances, within the town, and for the distance of one mile from the corporate limits, to provide for the arrest and confinement, until trial, of all disorderly and riotous persons within the town found by day or night, and to authorize the arrest and detention of all suspicious persons found loitering about said town without any means of support. Also to provide for all sanitary measures necessary to prevent sickness, and to establish quarantine when, in the judgment of the board, the same is necessary to be done, and also to set the fees of Recorder, Town Marshal, and witnesses who may be required to attend trial of causes in behalf of the corporation.

May contract indebtedness and borrow money.

SEC. 20. *Be it further enacted,* That the Mayor and Board of Aldermen are hereby authorized to contract any indebtedness on behalf of the city, and upon the credit thereof, by borrowing money and issuing bonds of the city at a rate of interest not exceeding six per cent. per annum, for the purpose of erecting public buildings, constructing and maintaining public sewers for the city; for the purpose of grading and paving streets and alleys, and constructing sidewalks, curbing and guttering and other improvements; for the purpose of constructing bridges and their approaches; for the purchase, construction or erection of water-works, and the necessary machinery, pipes, conduits and appurtenances for their operation, or any other specific purpose; to improve the streets of the city, or for lighting the same; *provided,* that the aggregate indebtedness to be incurred for the purpose above set forth shall never exceed ten per cent. of the assessed valuation of the taxable property of the city as shown by the city assessment of the year preceding the one in which the loan is voted; *provided,* always, that no loan shall be made, and no bonds shall be issued for any purpose except by ordinance, which shall be unrepealable until the indebtedness therein provided for and the bonds issued in pursuance thereof shall have been fully paid, and such ordinance shall specify the purpose to which funds received for the bonds to be issued are to be applied, and shall also provide for the levy upon the taxable property of the city sufficient to pay the annual interest thereon, and extinguish the principal of such debts and bonds within the time limited for the same, which shall not be less than five years nor more than thirty years; *and provided further*, that said taxes, when collected, shall only be applied to the purpose in said ordinance specified until the indebtedness and bonds have been paid and discharged, but no such debt shall be created, nor bonds issued, unless the question of incurring the same and issuing bonds therefor shall be submitted to a vote of the qualified electors of the city, and that two-thirds majority of said voters voting upon the question by ballot shall vote in favor of creating such indebtedness and issuing said bonds.

Tax levy.

SEC. 21. *Be it further enacted*, That the Board of Aldermen shall have power and authority to levy taxes for town purposes upon all taxable property, real, personal, and mixed, within the limits of the town, not exceeding in the total levy for all general purposes in any year two per cent. of the total assessment of said property for town purposes of that year.

Franchises and privileges.

SEC. 22. *Be it further enacted*, That all franchises or privileges granted by the said town of Athens to corporations or individuals shall be limited to twenty years from the granting of the same, and such franchises or privileges so granted shall plainly specify on what particular streets, alleys or avenues the same shall apply, and no franchises or privileges shall be granted by the town of Athens in general terms or apply to the town generally; *provided, however*, that franchises and privileges may be granted gas, water, and electric light companies in general terms, and for a period longer than twenty years, in the discretion of the Board of Aldermen.

Public schools and school directors.

SEC. 23. *Be it further enacted*, That the city of Athens is hereby created a separate school district. The common schools in said city shall be managed and controlled by a Board of School Directors composed of six persons qualified under the school laws of Tennessee to Act as District School Directors. At the first election held hereunder there shall be elected from the town at large two of said directors for a term of two years, two for a term of four years, and two for a term of six years, and every two years thereafter two directors shall be elected to fill the vacancies caused by the expiration of the term of the two retiring, and in case a vacancy shall occur in said board from removal or other cause, the remaining members of said board shall appoint a properly qualified person to fill such vacancy until the next election. Said Board of School Directors are at their first meeting to organize as a board, and shall appoint one of their number chairman of said board, who shall hold the office of chairman of said board for one year, and until his successor is appointed. The said board shall, at their first meeting, appoint one of their number to be clerk of said board, who shall hold his office for one year, and until his succesaor is appointed, and who shall keep a record of all the proceedings of said board. All papers and proceedings emanating from said board shall be signed by the chairman and clerk thereof, and they shall file all orders drawn upon the Treasurer. All processes against the school district shall be served upon the chairman of said board, and the Recorder shall be Treasurer of said board, and shall have the power to receive from the State and county officers all school moneys to which the district may from time to time become entitled. Said board shall have all the powers and perform all the duties now or hereafter required by the laws of the State of District Directors or District Clerks. The said board, by the name and style of the Board of Directors of the "City of Athens School District," shall be a body corporate, with powers to sue and be sued, contract and be contracted with, and to take and hold real and personal property for school purposes, and to sell and convey the same when for the best advantage of the schools of the city.

Additional school tax levy.

SEC. 24. *Be it further enacted,* That whenever the public school funds, payable to the "City of Athens School District," shall be insufficient to provide funds applicable to the payment of teachers' wages and the current expenses of maintaining the public schools in said city, the Board of School Directors may certify that fact to the Board of Aldermen, together with an estimate of what amount will be necessary to meet the deficiency therein for the ensuing year. If such sum will not require a tax exceeding the rate levied by the State for State purposes for the same year, then the Board of Aldermen shall levy and collect the amount of said estimate as provided for the levy and collection of other taxes for city purposes.

Money for school purposes.

SEC. 25. *Be it further enacted,* That whenever the Board of School Directors of the city of Athens shall desire to raise money, either to build school houses or to improve or repair the same, they shall report to the Board of Aldermen the amount of money required for the purpose for which it is wanted, and the Board of Aldermen shall then, by ordinance, provide for submitting the question of whether such amount shall be raised by taxation to the qualified voters of the city, and if two-thirds of the qualified voters of the city voting at said election shall vote for raising such sum by taxation, then the tax shall be levied and collected at the times, in the manner and on the conditions named and prescribed in the proposition voted upon.

General school laws apply.

SEC. 26. *Be it further enacted,* That the general laws of the State in regard to common schools shall apply to the city of Athens so far as the same are not modified herein, and the said district shall be entitled to all sums of money from the public school funds that it would be entitled to receive if the district was organized under the laws of the State.

Deputy Marshals.

SEC. 27. *Be it further enacted,* That the Mayor of said city of Athens may, at any time in his discretion, appoint one or more Deputy Marshals, whose compensation shall be provided for by said Board of Aldermen, and whose term of service shall not be longer than ten days.

SEC. 28. *Be it further enacted,* That the Marshal elected or appointed by the Board of Mayor and Aldermen shall have charge of work-hands on the streets, keep their time and see that they do good work.

SEC. 29. *Be it further enacted,* That all Acts or parts of Acts or laws contrary to or inconsistent with the provisions of this Act be and the same are hereby repealed.

SEC. 30. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 71.

AN ACT to amend the charter of Bethel College, first created at McLemoresville, Tennessee, now at McKenzie, Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Charter of Bethel College, under the care of West Tennessee Synod of the Cumberland Presbyterian Church, and all Acts amendatory thereof, be and the same are hereby so amended that said institution shall be and is hereby placed under the fostering care of the consolidated Synod, called the Synod of Tennessee.

Sec. 2. *Be it further enacted,* That the removal of said institution from McLemoresville, Tennessee, to McKenzie, Tennessee, is hereby ratified and made valid. The said institution to retain all the powers, privileges and immunities granted it in its original charter as a college.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 72.

AN ACT to authorize G. E. Sharp to erect a mill-dam across First Knob Creek in Sevier County, Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That G. E. Sharp be and is hereby authorized to erect a mill-dam across First Knob Creek in the 14th Civil District of Sevier County, near the residence of Robert Brabson, for the purpose of operating a grist-mill and saw-mill or shingle mill; *provided,* that the said G. E. Sharp shall first obtain the consent of the parties owning the banks of said creek where said dam is proposed to be erected, or shall become the owner thereof himself; *and provided further*, that said dam shall be so constructed as not to materially interfere with the passage of saw-logs being floated on said creek.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 73.

AN ACT to amend an Act to fix the time for holding the Chancery Courts in the Third Chancery Division of the State, and the Circuit Courts in the Fourth Judicial Circuit of the State, passed on the 14th day of February, 1889, and approved on the 16th day of February, 1889, Section 1, Chapter 13, Acts 1889, to change the time for holding the Chancery Court in Rhea County, and to provide for holding the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of Chapter 13 of the Acts of the General Assembly of the State of Tennessee, passed February 1889, and approved February 16, 1889, be and the same is hereby amended so as to read as follows, to wit: The Chancery Court shall be held in Rhea County on the second Mondays in January and July.

SEC. 2. *Be it further enacted*, That all processes issued and returnable to said court as they now exist shall be deemed and held valid and binding, and all process issued after this Act takes effect shall be returnable to the terms of court as herein fixed.

SEC. 3. *Be it further enacted*, That all laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 74.

AN ACT to authorize the Mayor and Aldermen of the town of Gallatin, Sumner County, to borrow the sum of ten thousand dollars for the purpose of lighting the town by electricity and purchasing and erecting an electric plant in said town, and to issue interest-bearing negotiable bonds for said amount, and to levy and collect taxes for the payment of the same.

Authority granted.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Gallatin, Sumner County, be and they are hereby authorized and empowered to borrow the sum of ten thousand dollars for the purpose of purchasing a site for and erecting thereon an electric plant for the purpose of lighting the town by electricity, and to this end said Mayor and Aldermen of the town of Gallatin are hereby authorized and empowered to issue negotiable interest-bearing coupon bonds to the amount of said sum of ten thousand dollars, and to negotiate and sell the same for the purpose of raising the money to purchase site and erect and equip an electric plant to be used in lighting the town with electricity, but for no other purpose. Said bonds shall be signed by the Mayor and Recorder of said town, and the corporate seal of said town shall be affixed to each before being issued. They shall be issued in such denomination as the said Mayor and Aldermen shall fix, and shall be payable at the end of twenty years from the date of their issuance, or sooner, at the option of the Mayor and Aldermen of said town; shall be designated as "Electric Light Bonds," and shall bear interest at the rate of six (6) per cent. per annum, payable semi-annually, to be evinced by coupons attached to each of said bonds, and shall constitute and be a first lien on said electric light plant and apparatus; but said bonds shall not be sold or disposed of at less than dollar for dollar of their face value.

Provision for redemption.

SEC. 2. *Be it further enacted*, That upon the issuance of said bonds in conformity with the foregoing section they shall be a valid and binding debt and obligation of the Mayor and Aldermen of the town of Gallatin, are hereby authorized and empowered to levy and collect annually, beginning with the year 1891, while said bonds or any of them are outstanding, a special tax, not exceeding the rate of twenty cents on the one hundred dollars, assessed value, on all the taxable property within the corporate limits of said town and taxable under the laws of the State for corporation purposes, and to levy and collect a special privilege or license tax upon all pursuits, vocations and business carried on within the corporate limits of said town required by the laws of the State to pay a privilege tax to the State, not exceeding the rate or amount of privilege tax on such business for State purposes for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 75.

AN ACT to amend an Act entitled "An Act to repeal the charter of the town of Hickory Valley," so as to provide when same shall take effect, and to repeal section two of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 2 of an Act passed February 21, 1891, and approved February 25, 1891, entitled "An Act to repeal the charter of the town of Hickory Valley," be so amended as to repeal same, and that same be so amended as to provide that said Act shall take effect June 1, 1891, instead of as provided in same.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 76.

AN ACT to repeal an Act entitled "An Act to amend the fish laws, and to protect fish in spawning time," being Chapter 143, of the Acts of 1887, in so far as it applies to the Thirteenth Civil District of Hardin County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed March 19, 1887, and approved March 23, 1887, entitled "An Act to amend the fish laws, and to protect fish in spawning time," being Chapter 143 of the Acts of 1887, be and he same is hereby repealed in so far as the same applies o the Thirteenth Civil District of Hardin County.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 77.

AN ACT to repeal the charter of the town of Stanton, Haywood County, Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Stanton, Haywood County, Tennessee, as chartered and incorporated under the laws of Tennessee, be and the same is hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect from and after January 1, 1892, the public welfare requiring it.

Passed March 17, 1891.

W. C. DISMUKES,
Speaker of the Senate.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 78.

AN ACT to authorize the Mayor and Aldermen of the town of Morristown to issue bonds for public improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Morristown, a municipal corporation in its corporate character, be and are hereby authorized and empowered to issue coupon bonds, to be signed by the Mayor and countersigned by the Recorder, in the manner and under the restrictions hereinafter provided, in an amount not to exceed $50,000, the sum of $30,000 to be appropriated to opening, grading, paving, and otherwise improving or repairing streets, and the purchase of tools and machinery for such purpose, and to the erection and repair of bridges; and the sum of $20,000 to the purchase of a site or sites, the purchasing of material, the construction of a suitable building or buildings within the limits of said corporation for city public schools, and the furnishing of the same; *provided,* that the said bonds or their proceeds shall be used exclusively for the purposes and in the proportions above set out, in such manner and places within the corporate limits as may be determined upon by said corporate authorities.

Authority.

SEC. 2. *Be it further enacted,* That all bonds issued under this Act shall be of such denominations and bear such rate of interest, not to exceed six per cent., and be due in such time, not to exceed fifty years from date, and be payable at such times and places as the corporate authorities may determine.

Bonds.

SEC. 3. *Be it further enacted,* That the bonds provided for by and issued under this Act shall, in no case, be sold for less than par, and the coupons thereto attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "sinking fund tax" hereinafter provided for, and sinking fund taxes levied for any other purposes and school tax.

Coupons receivable for taxes.

SEC. 4. *Be it further enacted,* That as soon as the bonds herein provided for, or any portion thereof, shall have been issued hereunder, the said corporation shall provide by ordinance for a sinking fund, wherewith to retire the said bonds, by leving a special tax to be designated the "sinking fund tax," the tax to run with the bonds

Sinking fund

and to be collected and used exclusively for the purpose levied, and to be sufficient, with its accumulations, as nearly as may be estimated, to meet and retire the principal indebtedness by its maturity.

Commissioners

SEC. 5. *Be it further enacted*, That for the purpose of managing and applying said "sinking fund tax," said Mayor and Aldermen shall, as soon as necessary, appoint or select three persons, citizens and tax payers in the corporation, who shall be known as "Sinking Fund Commissioners," whose term of office shall be for three years and until their successors are elected and qualified, and to be so elected that one of said Commissioners shall be elected for one year, one for two years and one for three years, and every year thereafter one shall be elected to serve three years; *provided*, that said corporation may, if it so elects, entrust the management of said "sinking fund" to its "Sinking Fund Commissioners" now existing under the laws of the State and ordinances of the corporation heretofore enacted.

SEC. 6. *Be it further enacted*, That said "Sinking Fund Commissioners" shall take an oath before any person authorized to administer oaths in judicial proceedings, faithfully to discharge their duties, and shall give bond in such sum, and otherwise qualify themselves in such manner, and receive such compensation as the ordinances of the corporation may provide.

Sinking fund taxes.

SEC. 7. *Be it further enacted*, That said Commissioners shall receive from the tax collectors of the corporation all "sinking fund taxes" arising by operation of this Act, and shall invest the same, from time to time, in bonds of the corporation; or if unable to so invest the same, shall invest in other unquestionable securities, bearing not less than six per cent. interest; and they shall be subject to the direction and control of said Mayor and Aldermen in the investment of said "sinking fund;" and they shall make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct. *Provided, however*, that whenever such bond of the corporation is purchased or invested in by said Commissioners, they shall cancel the same, in the presence of the Mayor and Finance Committee, in such manner as may be directed by ordinance.

SEC. 8. *Be it further enacted*, That said bonds or any part thereof shall not be issued unless three-fourths of the votes cast at an election, or elections, held upon due notice by order of said Mayor and Aldermen, shall be in favor of such issuance.

Elections.

SEC. 9. *Be it further enacted*, That said Mayor and Aldermen shall order elections to determine the question of the issuance of said bonds to be held separately upon the bonds for each of said purposes—that is, school or street purposes, or to be voted on together; and for the issuance of such sum for either purpose as it may deem necessary, and may order as many such elections as it may consider necessary; *provided*, that the aggregate amount of bonds issued for street and bridge purposes shall not exceed $30,000, and the aggregate for school purposes shall not exceed $20,000.

Voters.

SEC. 10. *Be it further enacted*, That such election or elections held under this Act shall be held by such person in such manner, and returns thereof made to such person and in such manner as said corporation may by ordinance provide; *provided*, that all such persons as are, by existing laws, entitled to vote in elections held to elect the Mayor and Aldermen of said corporation, shall be entitled to vote in said elections and none other.

Ballots.

SEC. 11. *Be it further enacted*, That the electors in such elections shall vote by ballot, and those voters favoring the issuance of bonds shall have written or printed on their ballots "Bonds," and those voting against the issuance shall have written on their ballots "No Bonds."

SEC. 12. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 79.

N ACT to amend the original Act passed January 29, 1879, Acts 1879, Chapter 11, entitled "An Act to establish in this State Taxing Districts," and an Act amending same passed February 12, 1883, entitled "An Act to amend Sections 5, 18, 15 and 21 of the Acts of 1879, Chapter 11, and to provide the means of local government of the same," Acts of 1883, Chapter 5, page 8, so as to increase the salary of the Secretary of the Taxing District and to fix his salary at an amount not exceeding $2,500 per annum.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of said Act of February 12, 1883, Acts of 1883, be amended as follows: By striking out all that portion of section 1 after the word "follows," in the seventh line of said section 1, and substituting therefor the following: The said Commissioners may employ a Secretary to keep a full record of all the proceedings, and also keep a set of books showing all the financial operations of the Taxing District, and who shall perform also the duties as such Secretary at a salary not exceeding $2,500 per annum.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 80.

AN ACT to amend the Act of Tennessee, passed January 29, 1879, establishing Taxing Districts, Acts of 1879, Chapter 11, so as to give to said Taxing Districts the power to dispose of and cancel double or illegal assessments of property for taxes assessed in favor of or for such Taxing Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 3 of the Acts of 1879, Chapter 11, of Tennessee, being on page 19 of said Act of 1879, after the word "District," said word being in the third line from the end of said section, and Acts amendatory of the same, be amended by adding after said word "District" the following: "They shall have power to dispose of and cancel double and illegal assessments of taxes assessed for or in favor of such Taxing Districts."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 81.

AN ACT to amend an Act passed January 29, 1879, Acts of 1879, Section 14, creating Taxing Districts, and Section 9 of the Acts of 1889, Chapter 163, entitled An Act to amend charter of Taxing District of Shelby County, etc., so as to empower the attorneys for the collection of back taxes for the municipalities to file orginal bills in the name of the said municipality for the collection of the delinquent taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 14 of the Acts of 1879, Chapter 11, passed January 29, 1879, and Section 9, Acts of 1880, Chapter 163, and Acts amendatory thereof be amended so as to strike out all of said section 9 from after the word "provided" in the eleventh line of said section, and insert in lieu thereof the following: Said attorneys shall have the right to file original bills against any and all parties for taxes, when the same shall become delinquent by operation of law, in the name of the State of Tennessee for the use of such municipality.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.
THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 82.

AN ACT to amend an Act passed January 29, 1879, Acts of 1879, Chapter 11, page 15, to establish Taxing Districts in this State, and Acts amendatory thereto, so as to fix the salary of the Taxing District Engineer at a sum not greater than $4,000 per annnm.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 6 of said Act of January 29, 1879, fixing the salary of the Engineer of the Taxing Districts at not more than $2,000 be changed and amended by striking out and omitting therefrom the figures $2,000, and substituting therefor the figures $4,000, so as to fix the salary of the Engineer at a sum of not more than $4,000 per annum.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 83.

AN ACT to amend an Act passed January 29, 1879, Acts of 1879, Chapter 11, creating Taxing Districts in this State, and Acts amendatory thereto, so as to pay in addition to the salaries now provided for the members of the Legislative Council of the Taxing District, the further sum of $5 to each member of the Board of Public Works for each and every meeting of the Legislative Council which he or they may attend and therein officially act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 5 of said Act of January 29, 1879, Acts of 1879, page 19, be amended by adding thereto, after the word on page 19 of said Act, to wit: the word "District," which is in the twenty-first line of said section 5, the following: "And in addition to the salaries herein provided for, each member of the Board of Public Works shall receive as compensation the sum of $5 each for each and every meeting of the Legislative Council which shall be attended by and officiated in by such members."

SEC. 2. *Be it further enacted*, That the funds for the payment of the amounts and compensation herein fixed shall be paid from the same fund provided for other salaries.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 84.

AN ACT to repeal the Act of the General Assembly of Tennessee, passed March 18, 1890, and approved March 18, 1890, being of the public Acts passed at the third session of the Forty-sixth General Assembly of Tennessee, Acts of Extra Session of Tennessee, 1890, Chapter 1, pages 109, 110 and 111, and entitled an Act to extend the corporate limits of the Taxing District of Shelby County, Tennessee, and to prescribe the conditions upon which said extension is made, so as to reinstate the corporate limits of the Taxing District of Shelby County as the same existed prior to the passage of said Act of March 18, 1890, as above stated.

SECTION 1. *Be it enacted by the General Assemb the State of Tennessee*, That the Act of the General Assembly of Tennessee, passed March 18, 1890, Chapter 1, pages 109, 110 and 111, be and the same is hereby repealed, and the corporate limits of the Taxing District of Shelby County are hereby established to exist as they were the day prior to the passage of said Act of March 18, 1890, above referred.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 85.

AN ACT to execute the trust created by an Act of Congress, approved the 2nd day of March, 1891, to credit and pay to the several States, all moneys collected under the direct tax, levied by an Act of Congress passed the 5th day of August, 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor is authorized to receive from the Government of the United States the amount of money credited to the State of Tennessee, upon the terms, conditions, and trusts declared in the third section of the Act of Congress approved as aforesaid on the 2nd day of March, 1891, and in accordance with the joint resolution passed at this session of the General Assembly of the State of Tennessee, authorizing the acceptance of same and, after the receipt thereof, the same shall be by him deposited in the Treasury of the State, but as a fund separate and apart from the moneys of the State, for the benefit of persons who may be entitled thereto under the provisions of said Act of Congress.

Governor to receive fund.

SEC. 2. *Be it further enacted,* That the following procedure shall be adopted to make proper distribution of said fund among the persons entitled, that is to say:

Distribution

1. The Governor, the Secretary of State, the Comptroller, and the Treasurer shall constitute a board to be known as the the "Direct Tax Commission."

Commission.

2. The said board shall procure from the proper department of the Government of the United States copies of all assessments, tax lists, and other books and documents on file in said departments, whereby the facts may be ascertained as to the person by whom and when said

U. S. documents.

direct taxes were paid, the amount of payment, the locality of the land on which the tax was levied, and in general, copies of all books and documents which will point out the persons who are the beneficiaries of the trust.

Claims.

3. Any person holding a receipt for any direct tax paid to the United States as aforesaid, or, if he be dead, his heirs, executor or administrator may present the same to said board for adjudication, and, if upon comparison of said receipts with the tax assessments, etc., of which copies have been procured as aforesaid, the board shall be satisfied that the claim is just, then, upon a surrender of said tax receipt to the board, it shall be the duty of the Chairman of the Commission to give to the claimant a certificate or statement setting forth the fact, in which shall be embodied the amount due the claimant, the same to be addressed to the Comptroller; and, upon presentation thereof to the Comptroller, it shall be his duty to draw his warrant on the Treasurer payable to said claimant, to be satisfied out of the trust fund deposited as aforesaid for that purpose.

4. If application shall be made by an executor or administrator, letters testamentary or of administration shall be filed with the board.

Affidavit.

5. That persons who cannot produce said tax receipts, and who, nevertheless, appear to have paid the same as stated in said books, in their cases, the applicants shall make an affidavit stating that said tax receipt cannot be found, and this having been done, the Commission shall institute an investigation and compare statements thus made with books and statements in their office, hear proof on questions of doubt, and, if upon due and full consideration, the board is satisfied that the claim is just, payment shall be ordered as in form and manner set forth in the third section of this Act.

Appeals.

6. That an appeal may lie in favor of any applicant to the Attorney-general of the State in case there is a division of sentiment on the part of the Commissioners as to the question of any payment, and the decision of the Attorney-general shall be conclusive; and,

WHEREAS, This trust, though devolving on the State by Act of Congress, partakes rather of the nature of a private benefit only to certain people of the State, it is just that the State should not be burdened with the expense of its execution, and also that the labor of State officials should not be rendered without reasonable compensation; and, therefore,

SEC. 3. *Be it further enacted,* That each applicant, Fees.

when he files his claim, shall pay to the Commission fees as follows—that is to say, if the claim is under $25
he shall pay .... $ 50
If over $25, and not exceeding $100, he shall pay.. 1 00
If over $100, and not exceeding $500, he shall pay.. 3 00
If over $500, and not exceeding $1,000, he shall pay. 4 00
If over $1,000 then he shall pay 6 00

These fees are to constitute a fund for the payment of the services of the Commissioners and of the outlay for necessary books and printing, clerk hire and incidental expenses.

Sec. 4. *Be it further enacted,* That the Commission shall report to the next General Assembly an account of their actions and proceedings.

Sec. 5. *Be it further enacted,* That the Governor shall be Chairman of the Commission.

Applicants.

Sec 6. *Be it further enacted,* That applicants for adjudication may appear before the Commission in person, or by agents duly authorized by the execution of powers of attorney, and the Commission shall, on receipt of said books from the United States Government, cause to be published in a newspaper printed in the county in which tax was collected, a full and complete list of the names of all persons who have paid taxes on lands in that county.

Sec. 7. *Be it further enacted,* That in all cases where lands have been sold for non-payment of said tax, the money shall be paid to the person in whose name the land was assessed, or to his executor or administrator.

Sessions of Commission.

Sec. 8. *Be it further enacted,* That said Commission shall sit in regular session for three consecutive days in each month, and longer if found necessary, for the purpose of considering such claims, proofs, etc., as may be presented, and of hearing argument in support thereof by the claimants or their attorneys in case such hearing may be required.

Sec. 9. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 86.

AN ACT to ratify and confirm the action of the County Court of Henry County in exchanging the stock owned by the said county in the Memphis and Ohio Railroad Company into stock of the Louisville and Nashville Railroad Company, and in transferring the stock of said county in the Louisville and Nashville Railroad Company in payment of a subscription of fifty-five thousand dollars to the capital stock of the Paducah, Tennessee and Alabama Railroad Company.

Confirmed.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the merger of the Memphis and Ohio Railroad Company into the Louisville and Nashville Railroad Company, and the exchange of stock owned by Henry County in the Memphis and Ohio Railroad Company for stock in the Louisville and Nashville Railroad Company be and the same is hereby ratified and confirmed.

Action ratified

SEC. 2. *Be it further enacted,* That the action of the County Court of said Henry County in transferring, exchanging, selling and delivering fifty-five thousand dollars, par value, of the stock owned by said county of Henry, of the Louisville and Nashville Railroad Company to the Paducah, Tennessee and Alabama Railroad Company in the payment of the subscription of said county to the capital stock of said Paducah, Tennessee and Alabama Railroad Company, be and the same is hereby ratified, confirmed, and declared valid and binding, and a discharge of said county's obligation to pay said subscription, as fully as if payment had been made by taxation, in cash or in the bonds of said county.

Approved.

SEC. 3. *Be it further enacted,* That the title of the Paducah, Tennessee and Alabama Railroad Company to the stock so transferred and delivered to it in payment of said subscription, as aforesaid, is hereby declared to be legal, binding and complete.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 87.

AN ACT to authorize and empower the surviving Trustees of West Tennessee Baptist Convention to sell and dispose of certain real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the surviving Trustees of West Tennessee Baptist Convention be and are hereby authorized and empowered .to sell and convey by deed the real estate held by them as Trustees of West Tennessee Baptist Convention, and known as the Brownsville Female College, which shall vest the grantees with a good and legal title to said property.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 88.

AN ACT to repeal the charter of the town of Wartburg, in Morgan County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter heretofore granted to the town of Wartburg, in Morgan County, Tennessee, is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect ninety days after its passage.

Passed March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 89.

AN ACT allowing Chester County to issue bonds to build a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County Court of Chester County be and is hereby authorized to issue bonds to the amount of ten thousand dollars for the purpose of building a court-house.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 90.

AN ACT to abolish the Charter of incorporation of Austin's Springs, Weakley County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of incorporation of the town of Austin's Springs, in Weakley County, Tennessee, be and the same is hereby abolished.

SEC. 2. *Be it further enacted,* That this Act take effect from and after May 1, 1891, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 91.

AN ACT to amend Section 394 of Milliken and Vertrees' Compilation of Laws, so as to allow an additional Justice of the Peace for the Sixth Civil District of Chester County, and the same to reside in and hold his office in the town of Henderson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 394 of Milliken and Vertrees' Compilation of Laws be and is hereby so amended as to add to said section the following words: "And the Sixth Civil District of Chester County for the township of Henderson, said Justice to reside and keep his office in said town."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 92.

AN ACT to amend Chapter 35, Acts of 1877, and Chapter 46, Acts of 1883, as compiled in Section 2249 of Milliken and Vertrees' Compilation of Laws, and to define a lawful fence, and to authorize County Courts to adopt for their respective counties a standard for a lawful fence, as defined in said Acts and in this Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 35, Acts of 1877, and Chapter 46, Acts of 1883, as compiled in Milliken and Vertrees' Compilation of Laws as Section 2249, be so amended as that in addition to the fences therein defined to be lawful fences (which are also hereby declared to be lawful fences) the following shall also be a lawful fence, to wit: A fence built on good-sized, substantial posts, set firmly in the ground not more than nine feet apart. Said fence shall consist of three barbed wires, or three planks, or three (3) slats running horizontally

Lawful fence.

and fastened firmly to said posts, the first to be eighteen inches from the ground and the second and third eighteen inches from the first and second respectively, counting from the center of each; *provided* said fence may consist entirely of wire strands, or of planks, or of slats; or it may be composed of a wire, plank, and slat.

ounty option. Sec. 2. *Be it further enacted,* That the County Courts of this State, at their respective January terms, be and they hereby are empowered to adopt for their said counties respectively a standard lawful fence as the same is defined in Section 2249 of said Milliken and Vertrees' compilation, or as is herein enacted and prescribed; *provided* said order so adopting said fence is spread on the Minutès; *provided, further,* said standard fence, when so adopted, shall be the lawful fence for said county for the next ensuing year.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 30, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 93.

AN ACT to amend an Act passed March 10, 1891, and approved March 12, 1891, entitled "An Act for the benefit of indigent and disabled soldiers of the late war between the States, and to fix the fees of attorneys or agents for procuring such pensions, and fixing the penalty for the violation of the same."

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act passed March 10, 1891, and approved March 12, 1891, Acts of 1891, be and the same is hereby amended by adding to section 1 of said Act the following: Said trustees aforesaid shall be and are hereby empowered to employ a clerk, at a salary not to exceed five hundred dollars per annum.

Clerk

Sec. 2. *Be it further enacted,* That said trustees shall be and are hereby empowered to expend the sum of one hundred and fifty dollars, or as much thereof as may be necessary, in necessary printing, stamps, etc. Stationery.

Sec. 3. *Be it further enacted,* That the sum of one thousand one hundred and fifty dollars be and is hereby appropriated to pay said clerk and said necessary expenses, and the same shall be paid on the warrant of the Comptroller issued upon the vouchers of the President and Secretary of said Board of Trustees. Appropriation

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 94.

AN ACT to repeal Chapter 135 of the Acts of 1887, entitled "An Act to incorporate the town of Sevierville, in the county of Sevier, and provide for the election of officers and prescribe their duties, and for other purposes."

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 135 of the Acts of 1887, entitled "An Act to incorporate the town of Sevierville, in the county of Sevier and State of Tennessee, and provide for the election of officers and prescribe their duties, and for other purposes," be and the same is hereby repealed, and said corporation declared null and void.

Sec. 2. *Be it further enacted,* That this Act take effect from and after the first day of July, 1891.

Passed March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 95.

AN ACT to amend an Act entitled "An Act to declare the terms on which foreign corporations, organized for mining or manufacturing purposes, may carry on their business and purchase, hold and convey real and personal property," Chapter 31 of Acts of 1877, Sections 1992 to 2003 of Milliken & Vertrees' compilation of the laws of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 31 of the Acts of the General Assembly of Tennessee for the year 1877, being Sections 1992 to 2003 of Milliken & Vertrees' compilation of the laws of Tennessee, be so amended as to apply to corporations chartered under the laws of other States known as "Building and Loan Associations," "Bond and Investment Companies," "Real Estate, Land, Labor and Immigration Companies," "Co-operative Associations or Companies," "Cotton Compress and Warehouse Associations or Companies," "Electric Light, Gas and Electric Power, Gas Power and Steam Power Companies," "Stock Yards," "Cold Storage and Packing Companies," "Water-works" and "Wrecking and Salvage Companies."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 96.

AN ACT to authorize any county in the State of Tennessee which has a bonded debt and which has been created by a subscription of the county for building or aiding in building a railroad to issue new bonds, with coupons attached, to fund the debt and take up the old bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in order to enable any county in this State which has a bonded indebtedness matured, or about to mature for payment on account of such county's subscription made to build or aid in building a railroad to meet such indebtedness the Quarterly County Court of such county may issue bonds, with coupons attached, at a rate of interest not exceeding 6 per cent. per annum, payable annually or semi-annually, as may be deemed best for the county by said Court, these bonds to be in sums or denominations of $100, $500 or $1,000, to be due and payable not exceeding thirty years after the date of their issuance. They shall be signed by the County Judge, or Chairman of the County Court, and countersigned by the Clerk of said Court, with the seal of the Court attached.

Refunding bonds.

SEC. 2. *Be it further enacted,* That the whole amount of new bonds shall not exceed the amount of the old bonds outstanding on account of such indebtedness of the county at the date of the issuance of the new bonds, and the Quarterly County Court of the County is authorized to have prepared a sufficient number of engraved or lithographed coupon bonds, with interest payable as provided in the first section of this Act, to take up the old bonds.

Limit.

SEC. 3. *Be it further enacted,* That the Quarterly County Court of such county is empowered to provide by taxation, a fund to pay the annual or semi-annual interest, as the case may be, on said bonds, and also to provide a "Sinking Fund" to take up and discharge the new bonds.

Taxes.

SEC. 4. *Be it further enacted,* That none of these new bonds shall be sold at less than par, or they may be exchanged dollar for dollar for the old bonds outstanding, and a record shall be kept and spread upon the

Restrictions.

Minutes of the Quarterly County Court showing the number and denomination of each bond, the name of the person to whom it was sold, or with whom it was exchanged for the old bond, and all moneys derived from a sale of the new bonds shall be applied or expended in retiring and taking up the old bonds, and for no other purpose. Also each of the old bonds as taken up shall be cancelled by the Chairman of the County Court or the County Judge, in counties where there is such an office, and exhibited to the Quarterly Court at its next session and of disposed as the Court may direct.

SEC. 5. *Be it further enacted*, That in no case shall the amount of the principal of the outstanding debt be increased, nor shall the rate of interest be increased by the refunding provided for in this Act upon such debt.

SEC. 6. *Be it further enacted*, That all laws or parts of laws in conflict with this are hereby repealed.

Passed March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 97.

AN ACT to require all State tax on deeds, to be registered, to be paid before registered, to the County Court Clerk, and to repeal all laws or parts of laws in conflict with same.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter no County Register shall be required to register any deed until the State tax on such deed has been paid to the County Court Clerk of the county in which the deed is sought to be registered.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 98.

An Act providing a prior lien for and giving greater security to contractors, subcontractors, laborers, material men, engineers, and all other persons rendering valuable and necessary services, professional or otherwise, in the location, construction, repairs, and equipping of any railroad in this State, and to amend Chapter 220 of an Act passed March 29, 1883, entitled "An Act to protect contractors, subcontractors, mechanics, laborers, and engineers who perform work or furnish materials for the construction or repair of railroads."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 3 of an Act passed March 29, 1883, as referred to in the caption of this bill, Lien the same being Section 2778 of Milliken & Vertrees' compilation of the laws of Tennessee, be and the same is hereby so amended as to provide that hereafter every subcontractor, laborer, material man or other person who performs any part of the work in grading any railroad company's roadway, or who constructs or aids in the construction or repairs of its culverts and bridges, or furnishes cross-ties or masonry or bridge

Notice to company.

timbers for the same, which is used in the building and construction of such railroad, its bridges and culverts, or who lays or aids in the laying of its track, building of its bridges, the erection of its depots, platforms, wood or water-stations, section-houses, machine shops or other buildings, or for the delivery of material for any of these purposes; or for any engineering or superintendence, or who performs any valuable service, manual or professional, by which any such railroad company receives a benefit, all and every such person or persons shall have a lien on such railroad, its franchises and property, for the value of such work and labor done, or material furnished, or services rendered as hereinbefore set out and specified, in as full and ample a manner as is now provided by law for persons contracting directly with such railroad company for any such work and labor done, or for materials furnished; *provided*, that within ninety days after such work and labor is done or completed, or such materials are furnished, or such services are rendered, such subcontractor, laborer, material man or other person or persons rendering the hereinbefore mentioned service, shall notify in writing any such railroad company, or the owners of such railroad, should it or they reside in the State, or its or their agents or attorneys, should it or they be beyond the limits of the State, that said lien is claimed, specifying in the face of said notice the character of the work and labor done, or services rendered, or materials furnished, and the value thereof; and said lien shall continue for the space of one year from the the service of said notice, and continue until the termination of any suit commenced for the enforcement of said liens, brought within said one year; and said liens shall have priority over all other liens on such railroad, its property and franchises.

Lien enforced.

SEC. 2. *Be it further enacted*, That the liens provided for in this Act may be enforced by suit brought against such railroad company in the Circuit or Chancery Court of the county or district where the work or material, or any part thereof, was done or furnished, or any part of said services was rendered.

uit.

SEC. 3. *Be it further enacted*, That the plaintiff shall set out in his declaration or bill, as the case may be, with reasonable certainty the work done, services rendered or materials furnished, the amount claimed therefor, the nature and substance of any contract made with such railroad company, or any contractor or construction company, or subcontractor, as the case may be, accompanying such declaration or bill, with a copy of the notice executed, as required in the first section of this Act. And such suit shall be docketed and conducted as other suits in said courts.

Priority.

SEC. 4. *Be it further enacted*, That no railroad company shall have power to give or create any mortgage or other kind of lien on its railroad, its property or franchises in this State, which shall be valid and binding against any judgments or decrees or execution issued thereon, rendered in any of the courts in this State for the enforcement of any liens provided for in this Act; nor shall the liens created by this Act be hindered, postponed, delayed or defeated by any contract, real or pretended, made by any railroad company with any principal or construction company, real or pretended.

Indemnity bond.

SEC. 5. *Be it further enacted*, That any such railroad company shall have the right to demand from any principal contractor or construction company an indemnity or refunding bond to protect it in case of the enforcement of the liens created by this Act; and in case any original contractor or construction company is paid for work done or material furnished, or any part of it, covered by the foregoing sections, and such original contractor or construction company should fail to pay any subcontractor, laborer, or material man for work done or material furnished, as hereinbefore specified, then and in that event, and upon the payment of such subcontractor, laborer or material man of the amount due, such railroad company shall have judgment by motion for such amount so paid on such bond in any court in this State having jurisdiction in such cases; *provided, however*, any contractor or construction company shall have the right to intervene and contest the claim of such subcontractor, laborer or material man employed by him or it.

SEC. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.
W. C. DISMUKES.
Speaker of the Senate.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 99.

AN ACT to authorize Anderson County to issue bonds to build a jail.

Bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Anderson, through its quarterly County Court, be and the same is hereby authorized and empowered to issue coupon bonds of the county for the purpose of erecting a jail, not to exceed the sum of ten thousand dollars, bearing interest at the rate of six per cent. per annum, payable annually, the bonds herein provided for to be payable in twenty (20) years from the date thereof, but may be redeemed at any time after ten years by order of the County Court of said county; *provided,* three-fourths (¾) of the justices of said County Court attend the meeting of said court at which the issuance of said bonds is determined upon and vote for said issuance.

Issuance and redemption.

SEC. 2. *Be it further enacted,* That each of said bonds and coupons attached to said bonds, twenty in number, shall be signed by the Chairman of the County Court and the County Court Clerk, with his official seal affixed to each bond, and shall be in the denomination of five hundred and one thousand dollars each, and each denomination shall be numbered in the order of issuance, beginning with No. 1; that the coupons attached to said bonds shall be due and payable annually, and shall be received by the County Trustee on taxes when due, and by him cancelled, when received, by stamping or writing on the face thereof "paid," and the date thereof, and held by him as a voucher to be used on his settlement with the Chairman of the County Court.

Tax.

SEC. 3. *Be it further enacted,* That it shall be the duty of the County Court, annually, to levy a tax on the taxable property and privileges of said county for the purpose of paying the annual interest on said bonds, and for the purpose of creating a sinking fund to pay said bonds when due, and the Trustee shall collect and account for said tax and receive the same compensation he is allowed by law for collecting county tax.

SEC. 4. *Be it further enacted,* That said bonds shall not be sold for less than par value.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 100.

AN ACT to amend an Act entitled an Act to incorporate the town of Newbern in the county of Dyer, provide for the election of officers and prescribe their duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That chapter 224 of the Acts of 1887, passed March 28, 1887, and approved March 29, 1887, be and the same is hereby amended, as follows: Insert after the word "lot" in line (25) twenty-five of section 1, "thence west four chains to a stake; thence north 12½ chains to an oak tree; thence west three chains to a stake; thence north two chains to the corporation line at the coal chute.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 101.

AN ACT to require the Section Masters of Railroads in the State of Tennessee, to give notice of the killing or injury of live stock by the trains or locomotives of railroads in Tennessee; to provide for the appointment of appraisers to ascertain and fix the value of such stock, or the amount of injury thereto, and to provide for the collection of such appraisements; to make Railroad Companies liable for all damage by reason of the killing or injuring of live stock upon or near their unfenced tracks by their moving trains, cars or engines.

Notice to owner.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever any stock may be killed or crippled by any train of cars or locomotive upon any unfenced railway within this State, it shall be the duty of the Section Master, or boss, on whose section such killing or crippling occurs, within forty-eight hours thereafter, to notify the owner of such stock, and if the owner and his agent are unknown, then he shall notify the nearest Justice of the Peace.

Liability.

SEC. 2. *Be it further enacted,* That any person, company or corporation, or lessee or agent thereof, owning or operating any railroad within the State of Tennessee, shall be liable for the value of any horse, cow or other stock killed, and reasonable damage for any injury to any such live stock upon or near the track of any railroad in this State, whenever such killing or injury is caused by any moving train, or engine or cars upon such tract; *provided,* that contributing negligence on the part of the plaintiff in any action or suit to recover damage for such killing or injury, may be set up as a defense; *but, provided further,* that the allowing of stock to run at large upon common unfenced range, or upon enclosed land owned or in possession of the owner of such stock, shall not be deemed or held to be such contributory negligence; *provided further,* that in any such suit or action, proof of willful intent on the part of the plaintiff therein to procure the killing or injury of any such stock, in the manner aforesaid, shall defeat the recovery of any damages for such killing or injury.

Not liable.

SEC. 3. *Be it further enacted,* That no person, company or corporation owning or operating any railroad in this State, shall be liable under the foregoing section of this Act, for any damage for the killing or injury of any such live stock, when the track of said railroad is enclosed by a good and lawful fence and good and sufficient cattle-guards.

Appraisers.

SEC. 4. *Be it further enacted,* That whenever any stock may be killed or crippled by any train of cars or locomotives upon any unfenced railway within this State, it shall be lawful for the owner of the stock so killed or crippled, after first giving the nearest station agent of the company to which said railroad shall belong, written notice of his intention to apply to a Justice of the Peace within the district in which said stock may have been killed or crippled, and said Justice of the Peace shall appoint three discreet and disinterested householders of his county a board of appraisers, who, after being duly sworn, shall examine the stock so killed or crippled and affix a value upon the same, if killed, or assess the damages to the same if crippled, and return to said Justice of the Peace a written report, carefully describing the stock, stating whether they were killed or crippled, and also setting out the valuation or assessment of damage made by them; which report said Justice of the Peace shall file and preserve as a part of the records of his office, and said report shall be *prima facie* evidence as to the value of said stock killed, or damage as to that crippled.

Attorney's fee.

SEC. 5. *Be it further enacted,* That whenever the value of stock killed or the injury thereto is ascertained and assessed as required by section 4 of this Act, it shall be the duty of the person or persons, or corporation operating the railroad upon which said stock is killed or injured to pay to the owner thereof, or his agent or attorney the value so assessed for killing or injury, within sixty days after the claim thereof has been presented for payment to the said railroad company or their agent, and if said claim is not paid within sixty days after presentation, then the said person or persons, company or corporations operating said railroad, shall, in addition to the assessed value for killing or injury to such stock in case of litigation, be liable for reasonable attorney's fees to be fixed by the court trying the case.

Misdemeanor.

SEC. 6. *Be it further enacted,* That any Section Master who knowingly fails to give the notice of the killing or injury to stock as required by the provisions of section 1 of this Act shall be deemed guilty of a misdemeanor, and on conviction be fined not less than ten dollars and not more than fifty dollars.

Costs.

SEC. 7. *Be it further enacted,* That the Justice of the Peace and the three appraisers appointed by him under this Act shall each be entitled to fifty cents for their services, which shall be paid as costs in civil cases are now paid.

Sec. 8. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect thirty days after passage.

Passed March 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 19, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 102.

AN ACT to incorporate the town of Lafayette, in the county of Macon and State of Tennessee, and provide for the election of officers and a Justice of the Peace and prescribe their duties, and for other purposes.

Corporate name.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Lafayette, in the county of Macon, and the inhabitants thereof be and they are hereby constituted a body politic and corporate under and by the name of the Mayor and Aldermen of the town of Lafayette; may sue and be sued; grant, receive, purchase and hold real estate, mixed and personal property, or dispose of the same for the benefit of said town.

Boundaries.

Sec. 2. *Be it further enacted,* That the corporate limits of said town of Lafayette shall be as follows, viz.: Beginning on a beech standing on the south side of the Lafayette and Gallatin road, about one hundred yards west of Dr. E. H. Bratton's, it being a corner tree of his, running thence south 38 poles to a chestnut standing on the south side of the Winding Stairs road; thence south passing the house where James Ford now lives 32° east 38 poles to a stake, so as to include said house; thence south 75° east 136 poles to the forks of the Hartsville and Red Springs road (known as the Chicken road), near A. Clark's and H. Pendergrass'; thence an east course parallel with the Chicken road to G. L. Walton's gate, making said road a boundary, but excluding the same; thence north with Walton's line to Wm. Haley's lane; thence a west course with the said lane to east corner of T. E. Freeman's lot; thence a north course to his east corner, near Wm. Haley's house; thence a north-east course to the east corner of the public burying-grounds; thence north 15°, west to a stake in the Lafayette Spring branch at a point where Cartwright's Spring branch intersects; thence north 40° east 12 poles to a stake, so as to include G. W. Bradley's house; thence west 38 poles to a white oak; thence south to the Lafayette Spring branch; thence up said branch with its meanderings to the north-east corner of W. F. Fisher's lot at the lane between F. A. Selley and W. F. Fisher; thence a north-west course to the north-east corner of W. A. Craighead's lot near the south side of the Scottsville road; thence west to the north-west corner of W. A. Craighead's house, so as to include his house; thence south 27° west 108 poles to the beginning.

Elections.

SEC. 3. *Be it further enacted*, That the Sheriff of Macon County, when requested, after this Act becomes a law, after giving ten days' notice, shall open and hold an election in the town of Lafayette on the second Monday in March, 1891, or as soon thereafter as practicable, and on the first Saturday in January each and every succeeding year, for the purpose of electing five persons to serve as Aldermen and one person for Mayor, one person for Recorder and one Magistrate for the corporation of said town of Lafayette for one year, except as to Magistrate, who shall hold his office until the constitutional term of other Magistrates of the county expire by limitation, who shall be commissioned by the Governor of the State, and shall have concurrent jurisdiction with other Magistrates in said county, and all persons living in the limits of said corporation who would be qualified to vote for members of the Legislature of this State shall be entitled to vote in said election, and no person shall be eligible to the office of Mayor, Alderman, Recorder or Magistrate unless he be a citizen or householder in the corporate limits of said town of Lafayette, and in case of death, removal or resignation of any one of said officers of said corporation, the Mayor and Aldermen shall have power to fill such vacancies for time unexpired, except as to Magistrate, who shall be elected by the qualified voters, and should the Mayor's office become vacant the Board of Aldermen shall ap-

Officers.

point one of their own members to fill the unexpired term.

Organization.

SEC. 4. *Be it further enacted,* That the several persons so qualified as aforesaid, having the highest number of votes at any election held, shall be declared elected, and the Sheriff holding the election aforesaid shall, within three days thereafter, give to each of the five Aldermen, Mayor, Recorder, and Magistrate a certificate of their election, and send a certificate of the Magistrate elected to the Governor of the State for his commission, and it shall be the duty of the persons so elected, except the Magistrate, to meet at a suitable place in the town of Lafayette so soon as they receive the certificates of their election, and after having qualified or sworn into office the Mayor and Aldermen, three of whom shall constitute a quorum, to proceed to elect a well qualified citizen of said corporation to act and perform the duties of town Marshal.

Powers.

SEC. 5. *Be it further enacted,* That the corporation aforesaid shall have full power and authority to enact and pass such laws and by-laws, to prevent and remove nuisances; to provide for licensing and regulating auctions, taxing, regulating or restraining theatrical or other public amusements and shows or exhibitions within the bounds of the corporation; for restraining or prohibiting gambling; to regulate the sale of intoxicating liquors, beer, ale or malt liquors; establih night or day watches and patrols, to ascertain when necessary the boundary and location of streets, lanes, and alleys, with the consent of the proprietors of said lots adjoining streets, lanes, and alleys, to have and keep in repair the streets and alleys to pass all laws necessary for the same; to erect and regulate markets, drayage and personal privileges; to impose and appropriate fines penalties and forfeitures for a breach of the by-laws or ordinances; to build and keep in good condition a lock-up or calaboose for the safe keeping of persons before trial who violate any of said ordinances or by-laws of said corporation; to levy and collect taxes on privileges, real and personal property, and on polls for the purpose of carrying the necessary measure into operation for the benefit of said town; and to pass all laws and ordinances necessary to carry the intent and meaning of this Act into effect; *provided,* they are not in violation of the Constitution and laws of this State.

SEC. 6. *Be it further enacted,* That the Mayor and Aldermen, Recorder and Town Marshal of said town shall, before entering upon the duties of their office, take an oath before some justice of the peace of Macon County to faithfully, uprightly and honestly demean themselves as Mayor, Aldermen, Recorder and Marshal of said corporation during their continuance in office. Official oath.

Sec. 7. *Be it further enacted,* That the Marshal so elected shall continue in office twelve months from the time of his election, but may be discharged from his office for unfaithfulness in the discharge of his duties by a vote of the majority of the board, and before entering upon the duties of his office give bond, with good, solvent security, payable to said corporation, in the sum of five hundred dollars, to be approved by the board for the faithful discharge of the duties of his office, and account for all moneys by him collected as fines, costs or taxes, and privileges; and the Recorder, before entering upon the duties of his office, shall give bond and good, solvent security, payable to the corporation in the sum of five hundred dollars, to be approved by the board, to faithfully discharge his duties as an officer, and to account for and faithfully pay over all money as he may be directed by said board, and shall hold his office for twelve months from the time he was elected, but may be discharged from office for unfaithfulness by the board, who shall have power to fill the unexpired term by appointment. Marshal.

Sec. 8. *Be it further enacted,* That the Marshal shall pay over monthly to the Recorder all sums of money collected by him for said corporation, taking his receipt for the same, and the Recorder shall render semi-annually, when called upon by the board, each year, and as much oftener as the Board of Mayor and Aldermen shall require, a full and complete statement of the finances under his control, and the Recorder shall exhibit to the board a complete statement of the finances of said corporation; and he shall also, within thirty days from the time of assessing the taxes of said corporation, deliver to the Town Marshal a tax list, which shall be the authority of the Town Marshal for the collecting of the taxes therein specified, and the Recorder shall preserve a copy of the said tax list with the papers of said corporation. For assessing and making the tax list, the board may make such compensation to the Recorder for doing the work as they think just and right. No money shall be paid out except by the Recorder, and in no case shall he do so except upon the order of the Mayor, made in pursuance of the direction of the Board of Finances, taxes, etc.

Aldermen. At the expiration of his term of office the Recorder shall deliver to his successor all books and papers, money and other valuables belonging to the corporation, and take his receipt for the same, and make a final settlement with the Board of Mayor and Aldermen.

Mayor's duties.

SEC. 9. *Be it further enacted*, That it shall be the duty of the Mayor to preside at all the meetings of the Board; to see that all the ordinances and by-laws of the corporation are duly and properly enforced, respected, and observed within the town, and call special meetings of the Board of Mayor and Aldermen whenever he may deem it expedient, to make such suggestions and give instructions in reference to the actions of said board as in his judgment will be most conducive to the interest of said corporation; to give orders upon the Recorder of said board whenever said board direct the same to be done, for the payment of any money that may be due from said corporation; to employ counsel in behalf of said corporation in any case in which said corporation may be interested, when in his judgment the same may be necessary.

Duties of Recorder.

SEC. 10. *Be it further enacted*, That in addition to the duties already imposed upon the Recorder by this Act, he shall be invested with full power and authority to try all offenses for violation of the ordinances and by-laws of said corporation, and said Recorder of the town of Lafayette be and is hereby invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State or of the ordinances or by-laws of the Board of Mayor and Aldermen of the town within the corporate limits of said town, and for trying State offenses shall be allowed and entitled to the same fees now allowed to the Justices of the Peace for like services. Said Recorder shall keep a regular docket in a well bound book, the same as are kept by Justices of the Peace, and shall docket every case tried by him, and show amount of bills of cost of the same.

Mayor and Aldermen.

SEC. 11. *Be it further enacted*, That the Board of Mayor and Aldermen of said corporation shall have full power and authority to erect a work-house and lock-up or calaboose for the safe keeping of persons when arrested who fail to give bond or put up for forfeiture for their appearance before the Recorder for trial, or shall have access to the county jail for said purpose, and when any person or persons have been convicted of any violations of any by-laws or ordinances of said corporation, fail or refuse to pay or secure to be paid the fines and costs accruing thereon, the Mayor and Aldermen may provide by an ordinance for their confinement in said lock-up or jail, and put them to work for the town either within an inclosure, on the street or other public works, under proper guard or secured by ball and chain, at such wages as the board may adopt by ordinance, until said fines and costs are paid.

Removal of officers.

SEC. 12. *Be it further enacted*, That the Board of Mayor and Aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, the Recorder and Marshal, for incompetency or any violation, neglect or disregard of the duties imposed upon them by the by-laws and ordinances of said corporation; *provided*, that two-thirds of the Board of Mayor and Aldermen concur in the dismissal or removal.

New streets.

SEC. 13. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Lafayette shall have full power and authority to lay off and open new streets, lanes and alleys in said town, and extend the old ones for the convenience of the inhabitants thereof in manner and mode prescribed by sections 1388, 1389, 1390 and 1391 of T. & S. Code of Tennessee; also may require the business houses in said town to make good brick, wood or gravel pavements in front of their houses.

Criminal jurisdiction.

SEC. 14. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Lafayette shall have full power and authority, by ordinances, within the town and for the distance of one mile of said corporate limits, to provide for the arrest and confinement, until trial, of all disorderly and riotous persons within the town found by day or night, and to authorize the arrest and detention of all suspicious persons found loitering about said town without any means of support; also to set the fees of Recorder, Town Marshal and witnesses who may be required to attend trial of cause in behalf of the corporation.

Fees.

SEC. 15. *Be it further enacted*, That the Marshal elected or appointed by the Board of Mayor and Aldermen shall have charge of work-hands on the streets, keep their time and see that they do good work.

SEC. 16. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 103.

AN ACT to incorporate the town of Greenfield.

Name.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Greenfield, in the County of Weakley, in the State of Tennessee, and the inhabitants thereof, within the boundaries hereinafter specified, be and are hereby constituted a body politic and corporate, under and by the style and name of the City of Greenfield.

Corporate powers.

City Council.

SEC. 2. *Be it further enacted,* That the corporation aforesaid, shall have perpetual succession by such name and style, shall sue and be sued, plead and be impleaded in all courts of law and equity, and in all actions whatever, may purchase, receive and hold real and personal property, within the corporate limits, and may purchase, receive and hold both personal and real property within or beyond the corporate limits to be used for the burial of the dead, for the erection and keeping up of hospital houses, quarantine houses, or stations or workhouses, houses of correction and water-works, and may sell or lease or dispose of all of said property for the benefit of the corporation; but the sale of said property shall be subject to the approval of the Mayor and City Council, and shall be sold as directed by the Mayor and City Council, and they may do all other things touching said property as natural persons; they shall have a common seal, which may be changed at the pleasure of the Mayor and City Council. The City Council shall have power to establish within or without the corporate limits, other-houses or places for corporate purposes, and to make all laws and regulations for the government, improvement and keeping of said places; *provided, however*, that no retail or wholesale liquor license shall be issued by the corporation, and no whisky, brandy, beer or other intoxicating beverages shall be sold within the corporate limits except by consent of a majority of the qualified voters of said corporation.

SEC. 3. *Be it further enacted*, That the Mayor and City Council of the city of Greenfield shall, within the limitations of this Act, have power by ordinance—

Power by ordinance.

1. To levy and collect taxes for general corporate purposes upon all property and poles taxable by the laws of the State—the rate of taxation on property to be such amount as the Mayor and City Council may provide for,

2. To levy and collect taxes for general purposes upon merchants, and one or all of the privileges taxable by the laws of the State—the rate upon merchants to be such as the Mayor and City Council may provide for.

3. To appropriate money and to provide for the payment of the debts and expenses of the corporation.

4. To make regulations to prevent the introduction and spread of contagious diseases in the city; to make quarantine laws for this purpose, and to enforce the same within two miles of the corporate limits.

5. To make regulations to secure the general health of the inhabitants, and to prevent and remove nuisances.

6. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair streets, alleys and sidewalks, or to have or cause the same to be done.

7. To erect, establish and keep in repair bridges, culverts, sewers, gutters.

8. To provide for lighting the streets with either candles, lamps or by electricity; digging wells, cisterns, and to erect pumps on the streets or public grounds.

9. To erect and keep in repair a good and sufficient system of water-works, and keep the same in repair, or may contract, lease or let the erection of water-works to a company or companies the right and privileges for so doing, and shall have the power, by ordinance, to control and regulate the same.

10. To provide for the erection and improvement of all buildings necessary for the use of the corporation.

11. To license, tax and regulate merchants, peddlers and all privileges taxable by the State, and shall have power to regulate the manufacture or sale of intoxicating

Power by ordinance.

liquors, including wine, cider, ale or beer, within the corporate limits of said city.

12. To regulate, prohibit and suppress bawdy houses, gaming or gambling houses, and all disorderly houses and obscene pictures and literature.

13. To provide for the prevention and extinguishment of fires, to organize and establish fire companies, and to regulate the carrying on of manufactories that may be dangerous in causing or producing fires.

14. To regulate the storage of gunpower, tar, pitch, resin, saltpeter, gun-cotton, coal oil and all other combustibles, explosives or inflammable material, and the use of lights, candles, lamps, stove pipes, steam-pipes and chimneys in all store-houses, dwellings, outhouses, shops, stables or other places, and to regulate and suppress the use and sale of fire-crackers or fire works of all kinds, or toy pistols, air-guns or target-guns.

15. To establish and regulate markets, market-houses and meat houses of all kinds.

16. To impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.

17. To provide for the arrest, punishment and imprisonment of all rioters and disorderly persons within the town, by day or night; for the punishment of all breaches of the peace, noise or disturbances and disorderly assemblies.

18. To impose fines or penalties upon the owner or owners, occupants or agents, of any houses, wall or sidewalk, or other structure which may be considered dangerous, unless the same be removed or repaired after notice of its dangerous condition, given as the council may prescribe by ordinance.

19. To regulate, tax, license or suppress the running at large of all animals within the corporate limits, to take and impound the same, and in default of redemption to sell or dispose of the same as may be prescribed by ordinance.

20. To provide for the arrest and confinement or release on appearance bond until trial, of all persons violating any of the corporate ordinances.

21. To provide for appointment of a police or special police force at such time as the council may determine by ordinance.

22. To grant the right of way through or over the streets, alleys, avenues, and squares of the town to street or railroad companies or persons.

23. To take and appropriate ground for widening streets, or parts thereof, or for laying out new streets, avenues, squares or parks, when public convenience requires it. The manner, mode and compensation to the owners of the land to be fixed by ordinance.

24. To regulate, restrain or prohibit by ordinance the erection of wooden buildings within the fire limits of the city of Greenfied.

Imprisonment.

25. To provide for any person who may fail to pay or secure at once any fine or cost that may be imposed upon him or her under any ordinance to be committed to the calaboose or work-house until said fine and costs are paid. Every person so committed shall be required to work for the corporation at such labor as his health and strength will permit, not exceeding eight hours per day, and for such work the person doing the same shall have, exclusive of board, a credit of fifty cents per day upon said fine and cost until the same are paid, when he shall be released; *provided,* that no person shall be compelled to work longer than three months for any one offense.

Obstructions.

26. To enact laws to prevent persons from riding or driving with dangerous speed in the corporate limits; to prevent persons from stopping teams on crossings, or riding on sidewalks, or to place rubbish on sidewalks, or to obstruct the sidewalk or streets, or to injure public or private property of any kind.

Election.

SEC. 4. *Be it further enacted,* That the sheriff of Weakley County, after giving ten days notice, shall, by himself or one of his deputies, hold an election in the city of Greenfield on the —— day of ———, 1891, and said election shall be held for the purpose of electing a Mayor, two Councilmen from each ward, Marshal, Recorder, Treasurer and Clerk, who shall hold their offices for the period of two years, or until their successors are elected and qualified, and thereafter there shall be an election held on the —— day of ——— for the purpose of electing a Mayor, two Councilmen from each ward, Marshal, Recorder, Treasurer and Clerk for said town to serve for the ensuing two years, it being the intention of this Act to provide for the election of officers for the city of Greenfield every two years, the polls to open at ten o'clock and close at 4 o'clock p. m. of that day. The Mayor and City Council may by ordinance make any additional provisions that may be found necessary to prepare for and conduct said election. If the Sheriff fail to hold said election it shall be his duty to hold it as soon thereafter as possible, after giving the required notice, and the persons receiving the highest number of votes for each office shall be declared elected to hold the offices for which they have been voted for; and the officers of said election shall make out and deliver within three days each a certificate of their election, and the judges and clerks, after being sworn and qualified as provided by the election laws of this State, shall perform similar duties of judges and clerks in State and county elections, and after the votes are counted and the result ascertained, the officers holding said election shall file the poll lists and other papers showing the result of said election, properly certified, with the City Clerk, who shall preserve them.

Voters.

SEC. 5. *Be it further enacted*, That all persons living within the limits of said corporation who would be qualified to vote for members of the General Assembly of this State, and persons owning a freehold within the bounds of said corporation, and otherwise qualified to vote, shall be entitled to vote for Mayor and city officers for said corporation, and no person shall be eligible to the offices of Mayor, Councilman, City Marshal or Recorder unless he be a citizen and qualified voter of the city of Greenfield, and in case of death, removal from the city or other vacancy, the Mayor and Council shall have power to fill such vacancy for the unexpired term.

Officers.

Organization.

SEC. 6. *Be it further enacted*, That the persons elected Mayor and Councilmen shall meet as soon as they receive their certificates of election, proceed to organize—a majority of the Councilmen shall constitute a quorum for the transaction of business, and shall have power to elect such other officers as they may deem necessary to aid them in transacting the business of the corporation, and shall provide by ordinance for such purpose.

Oath.

SEC. 7. *Be it further enacted*, That the Mayor and City Council, before entering upon the duties of their office, shall take an oath before some Justice of the Peace of Weakley County to support the Constitutions of the United States and of the State of Tennessee, and to faithfully discharge the duties as Mayor and Councilmen of said corporation.

Recorder's trials.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Recorder, and he is hereby invested with the power and authority to try all offenders for the violations of any ordinances and by-laws of said corporation; and he is hereby invested with all of the powers of Justice of the Peace, and shall have concurrent jurisdiction with Justices of the Peace in all cases of violations of the laws of the State or of ordinances and by-laws of the City Council of Greenfield within the corporate limits of said city, and shall be entitled to the same fees now allowed to Justices of the Peace for like services. He shall have jurisdiction over and power to hear and determine all suits for delinquent or back taxes as may be prescribed by ordinance.

Duties of Mayor.

SEC. 9. *Be it further enacted,* That it shall be the duty of the Mayor to preside at all meetings of the Council, to take care that the ordinances and by-laws of the town are duly and properly enforced, respected and observed within the city, to take an oath of office before he enters upon the duties of the same, and call special meetings of the City Council whenever he may deem it expedient, to make such suggestions and give instructions in reference to actions of the City Council that in his judgment will be most conducive to the interest of the corporation; to give orders upon the Treasurer, whenever the City Council shall direct the same to be done, for the payment of money that may be due and owing by said corporation; to employ counsel in behalf of said corporation in any case in which said corporation may be interested, when in his judgment the same may be necessary.

Treasurer.

SEC. 10. *Be it further enacted,* That the Treasurer shall receive, receipt for and be the custodian of all the money of the city. He shall receive from the City Marshal all of the taxes, fines, and other money belonging to the city of Greenfield that may come into his hands from all sources. He shall make settlement with the Marshal, Mayor, Recorder, and all other persons having funds of the city, and shall receipt for, and take care of, and account for all such funds of whatever nature that may come into his hands, and for such purpose shall keep such books as the Mayor and Council may direct. He shall make and present as many reports and statements monthly or quarterly as the Council may direct of the financial condition of his office, and funds of the corporation before entering on the discharge of the duties of his office. The Treaurer shall give bond with good securities, payable to the Mayor and City Council of Greenfield, and in such amount as may be prescribed by ordinances, for the faithful discharge of the duties of his office, as prescribed by ordinances, and he shall perform such other duties as the Mayor and City Council may prescribe. He shall pay moneys out of the treasury on the warrant issued by the Mayor and countersigned by the

City Clerk, and not otherwise. The warrant shall show for what purpose the money is paid.

Marshal.

SEC. 11. *Be it further enacted*, That the Marshal shall thoroughly acquaint himself with the laws and ordinances of the city of Greenfield and rigidly enforce them. He shall have authority without warrant in hand to arrest any person within the corporate limits for any offense committed against any corporate ordinance in his presence, and with a warrant may arrest and execute it against the offending party anywhere in the county. The Marshal shall execute promptly all process that may come into his hands and make due return of the same in sixty days showing how he has executed it, and he shall perform such other duties as may be imposed upon him by ordinance. He shall hold his office for the period of two years and until his successor is elected and qualified, but shall be subject to removal by the Mayor and City Council. He shall make a report to the Mayor and City Council of the funds collected by him, and shall turn the same over to the Treasurer.

Assessment.

Assessor.

SEC. 12. *Be it further enacted*, That the City Assessor shall assess all property, real, personal, and polls, within the city limits subject to taxation, and enter the same in an assessment book prepared for the purpose, and may be made under the laws by which such property and polls are assessed for State and county purposes, and shall have the same power as the Assessor of State and and county taxes. He shall take an oath to support the Constitutions of the United States and of the State of Tennessee, and to faithfully discharge the duties of his office. The City Council shall fix the compensation of the Assessor as well as other city officers, and their compensation shall not be increased or diminished during the time for which they were elected. He shall perform such other duties as may be imposed upon him by ordinance.

City Clerk.

SEC. 13. *Be it further enacted*, That the City Clerk shall keep a correct record of meetings of the City Council, and shall keep all the books necessary to be kept for the use of the city, and he shall be the custodian of the books and records kept by the city, and do and perform all other work that may be enjoined on him by ordinance.

Contracts.

SEC. 14. *Be it further enacted*, That the Mayor and City Council of the city of Greenfield shall have power to make all proper contracts necessary for corporate purposes, which shall be made in the name of the corporation and signed by the Mayor and attested by the Clerk and seal of the city of Greenfield; and no person shall have power to create any liability against the corporation except by express authority of the City Council given, by ordinance.

City property.

SEC. 15. *Be it further enacted,* That the title to all property, real or personal, purchased by the corporation, shall be conveyed to the Mayor by name, in his official capacity, for the use and benefit of the corporation of the city of Greenfield and their sucessors in office, and by them, on behalf of the corporation, when sold, conveyed. The said Mayor shall sign the deed or writ in his official capacity, and under the seal of the corporation, attested by the clerk.

Listing property.

Privileges.

Collecting taxes.

SEC. 16. *Be it further enacted,* That all property subject to taxation shall be listed for taxation in the name of the owner, or reputed owner, alphabetically, for the entire town, and if real estate, giving the number of the lot or some description that will be sufficient to identify it; and in estimating the value the Assessor may be governed by the assessment laws of the State. Merchants and privileges of all kinds shall be taxed, and taxes on the same collected as may be provided by ordinance. The assessment book shall be made out and completed by the first day of April for the year for which the assessment is made, and delivered to the City Clerk, who shall proceed at once to make out the tax book, and shall complete the same by the first Tuesday in October, by which time said taxes shall become due and payable; but the Collector shall not enforce the same until the first Monday in March thereafter of the ensuing year, unless directed to do so by ordinance. All parties who have not paid their taxes by this time shall be returned delinquent, and the Marshal make out a complete list of all such taxes, showing the amount due from each tax payer and such penalty as the City Council may have prescribed by ordinance. When the list is made out the City Clerk shall certify the same under the official seal of the city, that it contains a full and complete list of delinquents, and the true amount due by each to the best of his information and belief. Said list shall be turned over to the City Attorney, who shall bring suit against each delinquent before the Recorder, who shall determine the case and enter up judgment against said delinquent, upon which judgment an execution shall issue, which shall be delivered to the Marshal, who shall proceed to levy the same upon the goods, chattles and real estate of the defendant, and the property shall be sold to satisfy said taxes and costs, and he shall make return of his execution within thirty days after its receipt with his return endorsement thereon, and the amounts of all moneys collected he shall pay over to the City Treasurer and take his receipt for the same.

Arrests.

SEC. 17. *Be it further enacted,* That when any person is arrested by the Marshal without warrant in hand, he shall proceed to have one issued and served and the party notified of the time and place of trial. After the warrant is served the Marshal or Recorder may take bond of said party with good security, payable to the corporation, in the sum of two hundred dollars, conditioned to be void if the party makes his personal appearance at the time and place fixed for trial, and not depart the court without leave, and on failure to do so pay said two hundred dollars.

Appeals.

SEC. 18. *Be it further enacted,* That any person fined by the Recorder for violating any ordinance may appeal from the judgment rendered to the next term of the Circuit Court, upon giving bond with good security not exceeding two hundred and fifty dollars, payable to the corporation, and conditioned to abide by and perform the judgment of the Circuit Court in the premises, or he may appeal by taking the paupers' oath or give good security to appear at the Circuit Court and not depart the court without leave, said bond shall be in the sum of two hundred dollars and payable to the city of Greenfield.

Official bonds.

SEC. 19. *Be it further enacted,* That the obligation of the official bonds and appearance bonds herein mentioned shall be just and several, and any one or all of the parties to any one of said bonds may be sued for a breach thereof before the Recorder or any Justice of the Peace, or before the Circuit Court.

Police jurisdiction.

SEC. 20. *Be it further enacted,* That the police authority of the corporation and its officers shall extend one mile and a half beyond the corporate limits in every direction to prevent and suppress fighting, quarreling, loud cursing or swearing, or other unnecessary noise, boisterous or disorderly conduct, disorderly assemblies or meetings, and for this purpose the City Council and Mayor may enact all such laws that may be necessary to carry out the object and meaning of this charter; and the Marshal shall have the same right, power, and privilege to arrest all such offenders without a warrant anywhere in the corporate limits or within two miles of the corporate limits, and without a warrant anywhere in the county.

SEC. 21. *Be it further enacted,* That the Mayor, City Council and Assessor shall constitute a Board of Equalization for the purpose of equalizing the taxes assessed on real property, and shall have the power to increase and reduce the assessments, and make such ordinances governing the same as they may think necessary for the interest of the corporation.

Equalization.

SEC. 22. *Be it further enacted,* That all vacancies occurring in any office under this charter may be filled by the two-thirds vote of the City Council, but the Mayor shall not be entitled to vote in any case, unless there be a tie, then he shall cast the deciding vote.

Vacancies.

SEC. 23. *Be it further enacted,* That the Mayor and City Council shall have the power to appoint all committess, fix the number and prescribe by ordinance the duties of all committees and members of each committee.

Committees.

SEC. 24. *Be it further enacted,* That before any resolution or ordinance may become a law it shall be presented to the Mayor for his approval. If he approve it he shall sign it; if disapprove it, he shall return it to the City with his objections, and it shall not be a law unless it is passed over his objection by a two-thirds vote of the City Council, in which case it shall become a law.

Ordinances.

SEC. 25. *Be it further enacted,* That the City Council shall have power to establish, by ordinance, a system of schools and regulate the same, but so as to avoid sectarian influence; and to procure a telescope, astronomical philosopical, as are now or may be used, and build a school-house and observatory for the use of said schools; to levy and collect taxes on all property taxable by the laws of the State in order to keep up and maintain said schools; to appoint the proper school directors, authorities, and may consolidate with the State schools and county schools, and to assist in keeping the same up after the consolidation; to contract for erection and keeping the same up after consolidation, and may do the same thing with the Trustees of private schools; for these purposes may appropriate any part or all of the school fund.

Schools.

SEC. 26. *Be it further enacted,* That the Mayor and City Council shall have power to pass all by-laws and ordinances necessary and proper to enforce the powers herein granted, not inconsistent with the Constitution of the United States and of the State of Tennessee, and shall

By-laws.

enjoy all the rights, privileges and powers which are now granted and conferred by the general laws of the State upon municipal corporations of a like kind in the State of Tennessee.

Corporate limits.

SEC. 27. *Be it further enacted,* That the boundaries of the City of Greenfield shall be as follows, to wit: Beginning at a stake in J. G. Barton's field 15 feet north-east of J. M. Johnson's house; thence south through W. H. Cantrel's residence twelve hundred and seventy-five (1,275) yards to a stake in graveyard; thence west, including Mrs. C. V. Patterson's house, nine hundred and fifty (950) yards (including Fosbis & Co.'s mill, including the old Baker place) to a stake in M. Ezzell's field; thence north twelve hundred and seventy-five (1,275) yards, including John West's and W. F. McKelvey's residence, to a stake in J. H. Ward's field; thence east nine hundred and fifty (950) yards, including Ward-Kent Co.'s box factory to the beginning.

SEC. 28. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 104.

AN ACT entitled "An Act to extend the corporate limits of the city of Clarksville, Tennessee, and to prescribe the conditions upon which the extension is made," and to amend an Act entitled "An Act to incorporate the town of Middleburg, and for other purposes," passed March 19, 1860, in so far as said Act conflicts with this Act.

Limits.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Clarksville be extended so as to embrace the following territory: Beginning on the north bank of Cumberland River, where Paradise Hill road continued intercepts the same; thence up said river south 17½°, west 124 poles to north end of stone bridge north of water-works and engine house; thence south 65¾° east 65 poles to stone on west side of branch, locust and elm pointers on east side of Bois-d'Arc on west; thence north 58° east 55 poles to large sycamore a little north and east of Maning's quary, and near Wm. Wayne's south-east corner; thence north 74¾° east crossing the east end of a bridge a little south-east from St. Andrew's (Episcopal) Chapel, in all $77\frac{29}{100}$ poles, to a stone at the foot of a hill and east-side of Branch and marked with an X; thence north 31¼° east 37 poles to a spring; thence north 47½° east 117⅖ poles and with center line of street between Buck's brick-yard and Shaw's property, and to a stone in Drane's old field; thence north 13½° east 146½ poles to center of Nashville pike nearly opposite Parker's new house; thence north 32½ east 112¾ poles to center of street between Glenn's property and Brandon's 30 acre tract and continuing on, in all 198¾ poles, to cedars in north-east corner of Brandon's house-yard; thence north 24° east 52 poles to Red River about at low water, and on west side of same; thence down river to corporation line; and to carry out the intentions of this Act the Board of Mayor and Aldermen of Clarksville shall, before the next election for Mayor and Aldermen, divide said territory into such wards as may be necessary, or may attach parts of same to the wards now in existence, provided the whole number of wards be ten.

SEC. 2. *Be it further enacted,* 1. The property and inhabitants of said territory are not to pay any part of the present indebtedness of the city of Clarksville.

City tax. 2. All the city tax collected from the citizens and property holders of said territory on the property embraced therein, excepting that portion collected for school purposes, shall be used in the construction of streets, bridges and for other municipal purposes in the territory above described, and none of it shall be used except for municipal purposes within said territory for a period of ten years.

Improvement fund. 3. In addition to the disposition of the revenue, as provided in the second condition above, the city of Clarksville shall annually appropriate a sum equal to at least one-half of the revenue collected for municipal purposes (other than for school purposes) within said territory for the general improvement of said territory and for general municipal purposes within said territory for the period of ten years; *provided, however,* that the sum, in addition to the taxes collected off the property of said territory to be appropriated by the city of Clarksville under this contract, shall not exceed one thousand dollars ($1,000) for any one year.

Common fund. 4. After the expiration of ten years all the revenue collected by the city of Clarksville, including revenue from said territory, shall constitute a common fund; *provided, however,* that no part of the revenue from said territory shall ever be applied to the liquidation of the present bonded indebtedness of the city of Clarksville, and to that extent alone after ten years shall revenue be kept separate.

Government. SEC. 3. *Be it further enacted,* That the present Board of Mayor and Aldermen, or their successors in office, shall administer the affairs and government of the city, including the territory annexed, until the next regular election, when each ward shall elect an Alderman qualified to represent it as now provided by the charter of the city of Clarksville, enacted March 19, 1860.

Taxes. SEC. 4. *Be it further enacted,* That the people and property of the annexed territory shall be liable to assessment and taxation by the city of Clarksville under the regulations now applicable to the present city of Clarksville, including the year 1891, but such assessment and taxation and revenue derived therefrom shall be subject to the provisions of the Act as to the disposition and use of the revenue derived therefrom.

SEC. 5. *Be it further enacted,* That the Act passed March 19, 1860, entitled "An Act to incorporate the town of Middleburg, and for other purposes," be repealed in so far as it conflicts with this Act.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 105.

AN ACT to amend the charter of the town of Somerville, Tennessee, being Chapter 63, pages 61–2, Acts of 1826.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the town of Somerville be and the same are hereby extended so as to embrace the territory included in the following lines: Beginning at the north-east corner of the present corporation and running east, so as to extend the present north boundary line of the corporation, to a stake one thousand (1,000) feet from said north-east corner; thence south to a stake in the center of the old Webb Spring, and thence south-westerly to a point on the present east boundary line of the corporation where said east boundary line crosses C. A. S. Shaw's line near his north gate on the Bolivar and Somerville road.

Sec. 2. *Be it further enacted,* That Chapter 63, pages 61–2, Acts of 1826, be amended in accordance with the provisions of this Act.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same hereby are repealed.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 106.

AN ACT to amend Section 11, Subsection 85, of the Acts of 1883, Chapter 10, and Acts amending those passed March 19, 1889, Chapter 104, Acts of 1889, and to add to the privilege taxes provided for in said Acts the privilege taxes herein provided.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Subsection 85 of Section 11, of the Acts of 1883, be amended and changed as follows: By substituting the word "each" for the word "combined," being now the fifth word in said subsection, and by adding to the end of said Subsection 85 the following: "But only one tax when the two are combined," so as said Subsection 85 will read as follows: "Machine shops and foundries each $25 per annum, and when the two combined $50 for the two."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 107.

AN ACT to prevent the sale, furnishing or giving of cigarettes, cigarette paper or any substitute therefor to minors, and to provide a penalty for same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person, firm or corporation to sell, give or furnish any cigarettes, cigarette paper or any substitute for the same to any minor in this State.

SEC. 2. *Be it further enacted,* That any person, firm or corporation violating the first section of this Act shall, upon conviction, be fined not less than ten dollars nor more than fifty dollars.

SEC. 3. *Be it further enacted,* That the Judges of the Criminal Courts, and Circuit Courts of this State with criminal jurisdiction, shall give this matter in special charge to the Grand Juries of the county.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 108.

AN ACT to regulate the practice of Dentistry in the State of Tennessee, and to punish violators thereof.

Diploma necessary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person to practice, or attempt to practice dentistry or dental surgery in the State of Tennessee without first having received a diploma from the faculty of some reputable Dental College, School or University Department duly authorized by the laws of this State, or some other of the United States, and in which College, School or University Department there was, at the time of the issuance of such diploma, annually delivered a full course of lectures and instructions in dentristry or dental surgery; *provided,* that nothing in Section 1 of this Act shall apply to any person engaged in the practice of dentistry or dental surgery in this State, at the time of the passage of this Act, except as hereinafter provided; *and provided further,* that nothing in this Act shall be so construed as to prevent physicians, surgeons or others from extracting teeth.

SEC. 2. *Be it further enacted,* A Board of Examiners

Examiners.

consisting of six practicing dentists of acknowledged ability as such, two of whom shall be residents in each of the three subdivisions of the State—East, Middle and West Tennessee—is hereby created, who shall have authority to issue certificates to persons in the practice of dentistry or dental surgery in the State at the time of the passage of this Act, and also to decide upon the validity of such diplomas as may be subsequently presented for registration, as hereinafter provided, and issue certificates to all applicants who may hereafter apply to said board and pass a satisfactory examination.

Term of Examiners.

SEC. 3. The members of said board shall be appointed by the Governor, and shall serve for a term of three years, excepting that the members of the board first appointed shall be made as follows: Two for one year, two for two years and two for three years respectively, and until their successors are duly appointed. In case of vacancy occurring in said board by resignation, removal from State, or death, such vacancy may be filled for its unexpired term by the Governor, as provided in this Act.

Record.

Organization and meeting.

SEC. 4. Said board shall keep a record in which shall be registered the names and residences or places of business of all persons authorized under this Act to practice dentistry or dental surgery in this State. It shall elect one of its members President and one Secretary thereof, and it shall meet at least once in each year at the time and place fixed for the meeting of the State Dental Association, and as much oftener and at such times and places as it may deem necessary. A majority of the members of said board shall constitute a quorum, and the proceedings thereof shall be open for public inspection.

Certificate.

SEC. 5. Every person engaged in the practice of dentistry or dental surgery within this State at the time of the passage of this Act shall, within six months thereafter, cause his or her name, residence and place of business to be registered with said Board of Examiners, upon which said board shall issue to such person a certificate, duly signed by a majority of the members of said board, and which certificate shall entitle the person to whom it is issued to all the rights and privileges set forth in Section 1 of this Act.

Beginners.

SEC. 6. Any person desiring to commence the practice of dentistry or dental surgery within this State after the passage of this Act shall, before commencing such practice, file for record in a book kept for such purpose with said Board of Examiners his or her diploma, or a duly authenticated copy thereof, the validity of which said board shall have power to determine. If accepted, said board shall issue to the person holding such diploma a certificate, duly signed by all or a majority of the members of said board, and which certificate shall entitle the person to whom it is issued to all the rights and privileges set forth in Section 1 of this Act; *provided*, that any person, whether holding a diploma as aforesaid or not, shall have the privilege of making application to said board, and upon undergoing a satisfactory examination shall be entitled to a certificate in like manner as a person holding a diploma, and upon the same terms. **Examination.**

SEC. 7. To provide for the proper and effective enforcement of this Act said Board of Examiners shall be entitled to the following fees, to wit: For each certificate to persons engaged in the practice of dentistry in the State at the time of the passage of this Act the sum of one dollar; for each certificate issued to persons not engaged in the practice of dentistry in the State at the time of the passage of this Act, the sum of five dollars. **Fees.**

SEC. 8. The members of said Examining Board shall each receive the compensation of five dollars per day for each day actually engaged in the duties of his office, which, together with all other legitimate expenses incurred in the performance of such duties, shall be paid from the fees and penalties received by the board under the provisions of this Act, and no part of the expense of said board shall at any time be paid out of the State treasury. All moneys in excess of said *per diem* allowance and other expenses shall be held by the secretary of said board as a special fund for meeting the expenses of said board, he giving such bond as the board shall from time to time direct, and said board shall make an annual report of its proceedings to the Governor by the fifteenth day of December of each year, together with an account of all moneys received and disbursed by them in pursuance of this Act. **Finances.**

SEC. 9. Any person who shall violate this Act by practicing or attempting to practice dentistry or dental surgery within the State without first complying with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than twenty-five nor more than three hundred dollars. **Misdemeanor.**

SEC. 10. This Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 109.

AN ACT to amend Chapter 178 of the Acts of 1889, passed April 8, 1889, and approved April 4, 1889, entited "An Act to regulate the practice of medicine and surgery in the State of Tennessee," and to provide for trial and punishment of violatcrs of this Act, and of the Act of which this is amendatory.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the second section of Chapter 178 of the Acts of 1889 be amended so that the time allowed in said section of said Act, in which persons then in actual practice of medicine were required to make proof of that fact before the County Court Clerk, and obtain a certificate, be and the same is hereby extended to the first day of July, 1891, in which to make the proof, obtain the certificate from the Clerk, and acquire the privileges contemplated in said Act.

Time extended.

SEC. 2. *Be it further enacted,* That the third section of said Act of 1889 be so amended as to strike out after the word "standing," in the sixth line of said section, the words "and said board shall recognize any college that is recognized by the National Medical Association," and by inserting in the place of those words the following words, to wit: "As provided in section 1 of this Act;" that after the word "residence," in the sixth line of the twelth section of said Act, there be inserted the words, "and the necessary expenses of each meeting of the board."

SEC. 3. *Be it further enacted,* That the thirteenth section of said Act of 1889 be amended by striking out after the words "be it further enacted," all the other words and figures of said section, so that the following words shall be inserted and the balance of the section read as follows, to wit: "That it shall be unlawful for any itinerant physician or vendor of any drug, nostrum, ointment or application of any kind, intended for the treatment of disease or injury to sell or apply the same; or for such itinerant physician or vendor, by writing, printing or other methods, to profess to cure or treat diseases or deformity by any drug, nostrum, manipulation or other expedient in this State; and that whoever shall violate the provision of this section of this Act, provided this Act does not apply to merchants and druggists, shall be guilty of a misdemeanor, and upon conviction thereof before a court of competent jurisdiction, shall be fined in any sum not less than one hundred dollars, and not exceeding four hundred dollars; *provided*, that veterinary surgeons and stock doctors be not included in this Act. **Quacks unlawful.**

SEC. 4. *Be it further enacted*, That the words and figures in the fourteenth section of said Act between the word "practice" in the sixth line and the second or last "any" in the twelfth line be stricken out of said section, and that said section be amended by inserting in the place of those words the following words, to wit: "Be guilty of a misdemeonor and, on conviction thereof, be fined in a sum of not less than ten nor more than twenty-five dollars;" and that said section of said Act be further amended by striking out of the same all of the words from the word "forgery," in the eighteenth line, to the word "nothing" in the twenty-seventh line of said section. **Penalty.**

SEC. 5. *Be it further enacted*, That the sixteenth section of said Act be and the same is hereby repealed.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 110.

AN ACT to extend the jurisdiction of Mayors, Recorders and chief officers of towns and cities and taxing districts of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Mayors, Recorders and other chief officers of towns, cities and taxing districts in this State charged with the trial of criminal cases be and are hereby empowered to issue executions for the collection of unpaid fines and costs due their respective towns, cities and taxing districts in this State in the same manner as Justices of the Peace are now empowered to issue executions in such cases.

SEC. 2. *Be it further enacted,* That all laws in conflict with this Act be and are hereby repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 111.

AN ACT to repeal an Act entitled An Act to amend an Act entitled An Act to declare Sandy River navigable to a point called Wyatt's Mill, passed October 9, 1824.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed October 9, 1824, declaring Sandy River navigable to a point called Wyatt's Mill, and amended by an Act passed February 24, 1873, declaring said Sandy River navigable to Burns' Ferry, in Henry County, only, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 112.

AN ACT to authorize municipal corporations having a population of 35,000 and upwards under the Federal Census of 1870, or that may have by any subsequent Federal Census, to issue their bonds for the purpose of funding their present bonded indebtedness.

Authority to issue.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the President or Mayor and City Council of any incorporated city, town or taxing district in the State of Tennessee having a population of 35,000 inhabitants and upwards, according to the Federal Census of 1870, or that may have by any subsequent Federal Census, are hereby empowered in their corporate capacity to issue their bonds signed by the President or Mayor, and countersigned by the Secretary or Recorder, with interest coupons attached, which shall be signed by the Secretary or Treasurer of said municipal corporation, to an amount not exceeding one million and five hundred thousand dollars.

Bonds.

SEC. 2. *Be it further enacted,* That the bonds herein authorized may be executed in denominations of one hundred, five hundred and one thousand dollars, and shall mature at such times, not less than twenty or more than forty years from date, and shall bear a rate of interest not exceeding five per cent. per annum, payable semi-annually, as may be prescribed by corporate ordinances.

Designation.

SEC. 3. *Be it further enacted,* That the series of bonds herein authorized shall be known as the Funding Bonds of 1891, and shall be used exclusively for funding the present and existing bonds of the municipal corporation so issuing the same.

Exchange, fund, and cancel.

SEC. 4. *Be it further enacted,* That for the purpose of enabling said corporations to fund their present existing issue of bonds, and carry out the purposes of this Act, they are hereby empowered to exchange bonds herein authorized to be issued for a like amount of their present bonds as now exist, or to sell the whole or any part of the bonds herein authorized, and with the proceeds ensuing therefrom purchase or pay off and cancel a like amount of their present existing bonds. *Provided,* however, that no bond issued under the provisions of this Act shall be sold or exchanged for less than its par value.

Rights of bondholders.

SEC. 5. *Be it further enacted,* That the holders of any of the bonds authorized to be issued by this Act shall be and are hereby entitled to all the rights and remedies held and secured to the holders of the bonds to be funded, purchased or exchanged under this Act relating to the payment of interest and principal of the bonds now in existence, and to the enforcement of levies and collection of taxes for sinking funds and interest, as provided by the Act of Tennessee, passed March 23, 1883, Acts of Tennessee, 1883, pages 224 to 233 inclusive and the charter of the taxing district of Shelby County and acts amendatory thereto.

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 113.

AN ACT to extend the boundaries of the city of Knoxville, and to amend the Act entitled "An Act to reduce the Acts incorporating the city of Knoxville and the various amendments thereto to one Act, and to amend the same" passed June 10, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the Board of Mayor and Aldermen of the city of Knoxville, a municipality organized under an Act of the General Assembly, passed June 10, 1885, being Chapter 8 of the Acts of 1885, Extra Session, be and they are hereby extended so as to embrace the following territory lying contiguous to said city, and now a part of the Second Civil District of Knox County, Tennessee, to wit: Beginning at a point in the present eastern boundary of said city in the center of the culvert of the East Tennessee, Virginia and Georgia Railroad, where said railroad crosses First Creek; thence southwardly following the present corporate line down the course of First Creek to the point in the bend of said creek where the present corporate line leaves said creek; thence with the said corporate line south eastwardly to the point where it crosses the boundary line between the property of Jas. W. Sneed and the McCannon tract; thence northwardly with the said line, between Sneed and McCannon and with the line between the Mabry tracts, known as the Mount Isabella tract, and Swan, Nelson and Mabry's addition on the west and the McCannon tract, now known as Chilhowee Park, and the Saxton tract on the east, a general northern course crossing the Dandridge pike to Nelson Street, thence eastwardly with the county road, which is the eastern extension of Nelson Street, parts of which are now known as Orange Street and Cavalier Street, to the south-east corner of the "State Fair Grounds," now known as Thompson and Strong's addition; thence northwardly to the eastern boundary of said Thompson and Strong's addition to the eastern boundary of the street in said addition, known as the Corso; thence with the eastern boundary of the same northwardly to Cherry Street, as laid off in the Cold Spring addition to Knoxville; thence with said Cherry Street, still northwardly to the northern boundary of the

Limits of extension.

Cold Spring addition in the county road, known as the Hardin Hill road; thence with the said road eastwardly and then northwardly to the center of East Tennesse, Virginia and Georgia rairoad; thence with said railroad a general westward course to the point of beginning.

New ward.

SEC. 2. *Be it further enacted,* That the said territory thus added to the area of said municipality shall constitute the tenth (10) ward of said city, and that the said Board of Mayor and Aldermen of the city of Knoxville shall have over said territory and the inhabitants thereof the same jurisdictions, rights, powers, and privileges as it now has by law over the inhabitants and territory of its other wards, including the right, power and authority to buy and collect taxes therein during and for the year 1891.

Alderman.

SEC. 3. *Be it further enacted,* That there shall be elected by the Board of Mayor and Aldermen one Alderman to represent said Tenth Ward in the City Council who shall be a resident of said ward, and shall hold his office until the election and qualification of his successor at the next regular biennial election, held in said city for the election of Aldermen, and that at said election and thereafter regularly at the biennial elections provided for in the said Act of June 10, 1885, an Alderman shall be elected by the qualified electors of said ward, who shall be a resident thereof, and shall have the term of his office, and the same rights, powers, privileges, duties and responsibilities as the other Aldermen of said city now have by law, and that the qualified electors of said ward shall have the right to vote in all city elections hereafter held to the same extent and under the same restrictions as now provided by law in the other wards of said city.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Repreeentatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 114.

AN ACT making it a misdemeanor for any person to carry on the business of barbering on Sunday in Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to carry on the business of barbering on Sunday in Tennessee.

SEC. 2. *Be it further enacted,* That any one found guilty of violating the first section of this Act shall be fined not less than twenty-five dollars nor more than fifty dollars, or imprisoned in the county jail not less than fifteen nor more than thirty days, or both, in the discretion of the court.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 115.

AN ACT to amend Section 4881 of the Code of Tennessee, being Section 5701 of Miliken & Vertrees' revisal.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 4881 of the Code of Tennessee be and the same is hereby amended as follows, viz.: That said section and this amendment shall apply to trotting and pacing races as well as running races.

SEC. 2. *Be it further enacted,* That it shall be unlawful gaming to bet or wager in any way upon any horse race, unless the race track upon which the race is run, trotted or paced, be inclosed by a substantial fence, and the bet or wager to be made within said inclosure upon a race to be run, trotted or paced within said inclosure.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 116.

AN ACT to amend an Act approved March 23, 1875, being Chapter 142 of the Acts of 1875, entitled "An Act to provide for the organization of corporations."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the fourth paragraph under Section 23 of Chapter 142 of the Acts of the General Assembly of 1875, which paragraph is incorporated in Milliken & Vertrees' Code as Section 1803, be and the same is hereby amended by adding thereto the following words: "And said company may take its own stock in payment for real estate, and cancel said stock, provided the debts of the company do not exceed 25 per cent. of the value of its real estate remaining unsold."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 117.

AN ACT to provide for the safe and protected custody, control, and education, provision, and maintenance of orphan and foundling children, by the various orphan homes and orphan asylums in this State.

Control during minority.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all cases in which orphan or foundling children are placed in any of the various orphan homes or asylums in this State, whether they are placed therein voluntarily by their parent or parents, or by the order of some competent court or other authority, or whether they come into the care and custody of any such institutions as foundlings, that the directors, or managing board thereof, shall have the right to retain the charge and custody of such children until they arrive at the age of eighteen years, subject, however, to the provisions of the third section of this Act, and such institutions may, within such home, or asylums, provide for such children, or may so provide for them in homes of suitable families outside of said institutions.

Interference a misdemeanor

SEC. 2. *Be it further enacted,* That it is hereby made a misdemeanor for any person to interfere in any way with any of such children in the charge, control, and custody of them by such homes while they are there or at the homes provided for them by said institutions, and any person guilty thereof shall be fined not less than $25 nor more than $500, and be confined in the county work-house not less than thirty nor more than ninety days, at the discretion of the Circuit Judge.

Petition in Chancery.

SEC. 3. *Be it further enacted,* That at any time after the assumption of control by any of such homes, if the parent or other person in whom the legal custody of such child would otherwise be, conceives himself or herself entitled to the custody thereof, such person may file a petition in the Chancery Court of the county in which said home is situated, and shall set out therein the facts upon which action is sought, and notice thereof shall be given to such institution, and proof may be taken and the application decided as the Chancellor in his sound judgment may determine, both as to the merits and the adjudication of costs, and for this purpose jurisdiction is hereby conferred upon the Chancery Courts; *provided,* that nothing in this Act shall be construed to cut off the right of appeal.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 118.

AN ACT to amend an Act entitled "An Act to provide for the organization of corporations," approved March 23, 1875, so as to provide for the organization of plumbing, heating, steam and gas fitting companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act approved March 23, 1875, entitled "An Act to provide for the organization of corporations," as the same has been heretofore amended by the General Assembly, be and the same is hereby so amended that charters may be granted in the mode and manner designated in said Act for plumbing, heating, steam and gas fitting companies.

SEC. 2. *Be it further enacted,* That the charter for a plumbing, heating, steam and gas fitting company shall be as follows:

STATE OF TENNESSEE, CHARTER OF INCORPORATION.

Charter.

Be it known, that (here insert five or more names) are hereby constituted a body politic and corporate by the name and style of (here insert the name chosen) for the purpose of carrying on the business of plumbing, heating, steam and gas fitting (in the town, city or county of ———, as the case may be). The general powers of said corporation are (here insert Section 5 of an Act entitled "An Act to provide for the organization of corporations," the same being Chapter 142 of the Acts passed by the General Assembly in 1875); and also all such other general powers as have been enacted as amendments of said Act of 1875 since the passage of said Act by this General Assembly. Said corporation, in carrying on the business of plumbing, heating and steam and gas fitting, may manufacture, buy and sell all fixtures, apparatus, material and machinery necessary and pertinent to said business, and may contract for the construction of and may construct gas, water, sewer and drainage works, and all connections and fittings with such works, and lay pipes, furnish fixtures and appliances, and erect machinery therefor, and may buy, own and sell devices, inventions, patent rights and privileges appertaining to said corporate business and useful in carrying it on. It may also make, own, buy, sell and deal in all tools, materials, machinery, manufactured articles and appliances useful and proper in said business. It may erect furnaces, heaters or other appliances and apparatus for the warming and heating of buildings, and may erect fire escapes or other appliances for safety. And it may make or buy and sell and erect mill machinery, and furnish mill supplies in the general line of its business. Property which said corporation may need or own for carrying on its business may be received in payment for any stock subscribed to the amount of its value, as the same may be agreed on by the subscriber and the corporation.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 119.

AN ACT to incorporate the town of Flintvillle.

Name.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Flintville in the County of Lincoln, and the inhabitants thereof, are constituted a body politic and corporate under and by the name of the Mayor and Aldermen of the town of Flintville; may sue and be sued, grant, receive, purchase and hold real estate, mixed and personal property, or dispose of the same for the benefit of said town.

Limits.

SEC. 2. *Be it further enacted,* That the coporate limits of said town of Flintville shall be as follows, viz.: Beginning at the railroad trestle at the depot, on the east prong of a branch and running with said branch down the same to Young and Hamilton's saw-mill; thence east, crossing the railroad, to L. P. Myrick's south-east corner; thence north with said Myrick's east boundary line through Wm. Shepherd's lands to his north boundary line; thence west with said line to the beginning.

Election.

Voters.

SEC. 3. *Be it further enacted,* That the Sheriff of Lincoln County, when requested, after this Act becomes a law, after giving ten days notice, shall open and hold an election in the town of Flintville on the second Monday in March, 1891, and on the first Saturday in January each and every succeeding year for the purpose of electing five persons to serve as Aldermen, and one for Mayor, one for Recorder and one for Magistrate for the corporation of said town of Flintville for one year, except as to Magistrate, who shall hold office until the constitutional term of other Magistrates of the county expire by limitation, who shall be commissioned by the Governor of the State and shall have concurrent jurisdiction with other magistrates in said county; and all persons living in the limits of said corporation who would be qualified to vote for members of the Legislature of this State shall be entitled to a vote in said election; and no person shall be eligible to the office of Mayor, Alderman, Recorder or Magistrate, unless he be a citizen or householder within said limits of said corporation; and in case of death, removal or resignation of any one of said officers of said corporation, the Mayor and Aldermen shall have the power to fill such vacancies for the time unexpired; and should the Mayor's office become vacant at any time the Board of Aldermen shall appoint one of their own number to fill the unexpired time.

Certificates of election

SEC. 4. *Be it further enacted*, That the several persons so qualified as aforesaid having the highest number of votes at any election held shall be declared elected, and the Sheriff holding the election as aforesaid shall, within three days thereafter, give to each of the five Aldermen, Mayor, Recorder and Magistrate a certificate of their election to the Governor of the State for his commission, and it shall be the duty of the persons so elected, except the Magistrate, to meet at a suitable place in the town of Flintville as soon as they receive the certificate of their election and after having qualified, the Mayor and Aldermen, three of whom shall constitute a quorum, to proceed to elect a well-qualified citizen of the corporation to act and perform the duties of Town Marshal.

Corporte powers.

SEC. 5. *Be it further enacted*, That the corporation shall have full power and authority to enact and pass such laws and by-laws to prevent and remove nuisances; to provide for licensing and regulating auctions; taxing, regulating or restraining shows or exhibitions within the bounds of the corporation, or prohibiting gambling; to regulate the sale of intoxicating liquors—beer, ale or malt liquors; establish night and day watches and patrols; to ascertain when necessary the boundary and location of streets, lanes and alleys, and appropriate fines, penalties and forfeitures for a breach of the by-laws or ordinances; to build and keep in good condition a lock up or calaboose for the safe-keeping of persons before trial who may violate any of the laws of said corporation; to levy and collect taxes on privileges, real and personal property, and on polls for the purpose of carrying on the necessary and proper to convey the intent and meaning of this Act into effect, provided they are not in violation of the Constitution and Laws of the State.

Oath.

SEC. 6. *Be it further enacted*, That all of said officers shall, before entering upon the duties of their office, take an oath before some Justice of the Peace of said county to faithfully and honestly demean themselves as officers of said corporation.

Term.

SEC. 7. *Be it further enacted*, That said officers shall continue in office twelve months from the time of their election, but may be discharged from office for unfaithfulness in office by a vote of the majority of the board, and before entering upon the duties of office, shall give

Bonds.

bond with good and solvent security, payable to said corporation, in the sum of five hundred dollars, to be approved by the board, for the faithful discharge of his office, and account for all moneys by him collected as fines, costs, or taxes and privileges; and the Recorder, before entering upon the duties of his office shall give bond and good solvent security, payable to the corporation, in the sum of five hundred dollars, to be approved by the board, to faithfully discharge his duties as an officer, and to account for and faithfully pay over all moneys as he may be directed by said board, and shall hold his office for twelve months from the time he was elected, but may be discharged from office for unfaithfulness by the Board, who shall have power to fill his unexpired term by appointment.

Marshal.

SEC. 8. *Be it further enacted,* That the Marshal shall pay over monthly to the Recorder all sums of money collected by him for said corporation, taking receipts for the same; and the Recorder shall render semi-annually, when called upon by the board, each year, and as much oftener as the Board of Mayor and Aldermen shall require, a full and complete statement of the finances under his control, and the Recorder shall exhibit to the board a complete statement of the finances of said corporation; and he shall, also, within thirty days of the time of assessing the taxes of said corporation, deliver to the Town Marshal a tax list, which shall be the authority of the Town Marshal for the collection of the taxes therein specified, and the Recorder shall preserve a copy of the said tax with the papers of said corporation for assessing and making tax list. The board may make such compensation to the Recorder for doing the work as they shall think just and right. No money shall be paid out except by the Recorder, and in no case shall he do so except upon the order of the Mayor, made in pursuance of the direction of the Board of Aldermen. At the expiration of his term of office the Recorder shall deliver to his successor all books and papers, money, and other valuables belonging to the corporation, and take his receipt for same, and make a final settlement with the Board of Mayor and Aldermen.

Recorder.

Mayor.

SEC. 9. *Be it further enacted,* That it shall be the duty of the Mayor to preside at all the meetings of the Board, to see that all the ordinances and by-laws of the corporation are duly and properly enforced, respected and observed within the town, and call special meetings of the Board of Mayor and Aldermen whenever he may deem it expedient to make such suggestions and give instructions in reference to the actions of said board as in his judgment will be most conducive to the interest of said corporation; to give orders upon the Recorder, if said board direct the same to be done, for the payment of any money that may be due from said corporation, to employ counsel in behalf of said corporation in any case in which said corporation may be interested, when in his judgment the same may be necessary.

Recorder's duties and powers.

SEC. 10. *Be it further enacted*, That in addition to the duties already imposed upon the Recorder by this Act, he shall be vested with full power and authority to try all offenses for the violation of the ordinances and the by-laws of said corporation, and said Recorder of the town of Flintville be and is hereby invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of criminal laws of the State, or of the ordinances or by-laws of the Board of Mayor and Aldermen of the town within the corporate limits of said town; and, for trying State offenses, shall be allowed and entitled to the same fees now allowed the Justices of the Peace for like services. Said Recorder shall keep a regular docket in a well bound book, the same as are kept by Justices of the Peace, and shall docket every case tried by him, and shall keep amount of bills of cost of same.

Work-house.

Working out costs.

SEC. 11. *Be it further enacted*, That the Board of Mayor and Aldermen shall have full power and authority to erect a work-house and lock-up or calaboose for the safe keeping of prisoners or persons when arrested, who fail to give bond or put up for forfeiture for their appearance before the Recorder for trial, or shall have access to the county jail for said purpose, and when any person or persons have been convicted of any violation of any by-laws or ordinances of said corporation fails or refuses to pay, or secure to be paid, the fine and costs accuring thereon, the Mayor and Aldermen may provide by an ordinance for their confinement in said lock-up or jail, and put them to work for the town, either within an inclosure, on the streets or other public works, under proper guards or secured by ball and chain, at such wages as the board may adopt, by ordinance, until said fine and costs are paid.

Removals from office.

SEC. 12. *Be it further enacted*, That the Board of Mayor and Aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, including the office of Recorder and Marshal, for incompetency or any violation, neglect or disregard of the duties imposed upon them by the by-laws and ordinances of said corporation, provided that two-thirds of the Board of Mayor and Aldermen concur in the dismissal or removal.

New streets.

SEC. 13. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Flintville shall have full power and authority to lay off and open new streets and alleys in said town and extend the old ones for the convenience of the inhabitants thereof in manner and mode provided by Sections 1388, 1389, 1390 and 1391 of T. & S. Code of Tennessee; also may require the business houses in said town to make good brick, wood or gravel pavements in front of their houses.

Police limits.

Fees.

SEC. 14. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Flintville shall have full power and authority, by ordinance, within the town and for the distance of one mile from said corporate limits, to provide for the arrest and confinement, until trial, of all disorderly and riotous persons within the town, found by day or night, and to authorize the arrest and detention of all suspicious persons found loitering about said town without any means of support; also to set the fees of Recorder, Town Marshal and witnesses who may be required to attend trial of cause in behalf of corporation.

SEC. 15. *Be it further enacted*, That the Marshal elected or appointed by the Board of Mayor and Aldermen shall have charge of work-hands on the streets, keep their time and see that they do good work.

SEC. 16. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 120.

AN ACT to amend Section 2 of an Act passed 15th of February, 1866, by the General Assembly of the State of Tennessee, providing for the incorporation of the town of Milan, Gibson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of an Act passed 15th of February, 1866, entitled "An Act to incorporate the town of Milan, Gibson County, and for other purposes," be so amended as to read as follows: "Hereafter, instead of the Constable of said town being appointed by the Board of Mayor and Aldermen, as provided in Section 2 of said Act, that he be elected by the qualified voters of said town at the same time the Board of Mayor and Aldermen are elected."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 121.

AN ACT to alter the corporate limits of the town of Troy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate line of the town of Troy, which "begins at a stake about five feet south of the south-west corner of J. G. Smith's wood-house, and runs thence in a straight line 162 poles to a stake by T. R. Robin's north yard fence, directly north of the north-west corner of said Robin's house," be so altered as to begin at the "stake by T. R. Robin's north yard fence, directly north of the north-west corner of said Robin's house," and run south thirty degrees (30°) west 19 poles to a stake in the line of the R. H. Marshall heirs, and to run thence west 34 poles to a stake in the original line of 162 poles, and to run thence west with the original line to the stake about five feet south of the south-west corner of J. G. Smith's wood-house.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 122.

AN ACT to amend Chapter 31 of the Acts of 1877, declaring the terms on which foreign corporations organized for mining or manufacturing purposes may carry on their business and purchase, hold and convey real and personal property in this State, so as to make the provisions of said Act apply to all foreign corporations that may desire to own property or to do business in this State.

Extension.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 31 of the Acts of 1877 be so amended and enlarged as that the provisions of said Act shall apply to all corporations chartered or organized under the laws of other States or counties for any purpose whatsoever which may desire to do any kind of business in this State.

Copy of charter to be filed.

SEC. 2. *Be it further enacted,* That each and every corporation created or organized under or by virtue of any government other than that of this State, for any purpose whatever, desiring to own property or carry on business in this State of any kind or character, shall first file in the office of the Secretary of the State a copy of its charter and cause an abstract of same to be recorded in the office of the Register in each county in which such corporation desires or proposes to carry on its business or to acquire or own property, as now required by Section 2 of Chapter 31 of Acts of 1877.

Penalty for failure to file charter.

SEC. 3. *Be it further enacted,* That it shall be unlawful for any foreign corporation to do or attempt to do any business or to own or to acquire any property in this State without having first complied with the provisions of this Act, and a violation of this statute shall subject the offender to a fine of not less than $100 nor more than $500, at the discretion of the jury trying the case.

Compliance.

SEC. 4. *Be it further enacted,* That when a corporation complies with the provisions of this Act it shall then be, to all intents and purposes, a domestic corporation, and may sue and be sued in the courts of this State, and subject to the jurisdiction of the courts of this State just as though it were created under the laws of this State.

Suits, attachments.

SEC. 5. *Be it further enacted,* That when such corporation has no agent in this State upon whom process may be served by any person bringing suit against such corporation, then it may be proceeded against by an attachment to be levied upon any property owned by the corporation, and publication, as in other attachment cases. But for the plaintiff to obtain an attachment he, his agent or attorney, need only make oath of the justness of his claim, that the defendant is a corporation organized under this Act, and that it has no agent in the county where the property sought to be attached is situated upon whom process can be served.

SEC. 6. *Be it further enacted,* That said Chapter 31 of the Acts of 1877, except in so far as the same is amended, enlarged and extended by this Act, be and the same is declared to be in full force.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 123.

AN ACT to establish county work-houses; to provide for working misdemeanor and other convicts sentenced to such work-house; to declare county jails work-houses in such counties as have no separate work-house; to provide for Commissioners and a Superintendent and other subordinates for work-houses, and to define their powers and duties.

Work-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County Court of any county may, through its Quarterly Court, provide such lands, buildings, and articles of any kind as may be necessary for a work-house for such county.

Jail declared work-house.

SEC. 2. *Be it further enacted,* That any county not having provided a separate work-house may, through its Quarterly Court, declare its jail to be a work-house if such jail be, in the opinion of its Magistrates, of sufficient capacity and suitable for the purpose, and from and after such declaration the jail shall be known as and shall be the county work-house, and such county shall have thereafter the benefit of all laws in the State applying to work-houses.

Work-house Commissioners

SEC. 3. *Be it further enacted,* That when any county has established a separate work-house, or the jail in any county has been declared a work-house, the Quarterly Court thereof shall elect four competent persons who, in conjunction with the Judge or Chairman of said court, shall be known as the Board of Work-house Commissioners, of which the said Judge or Chairman shall be *ex officio* Chairman of the board. Two of said Commissioners shall serve for the term of one year, and two for the term of two years, and annually thereafter the said Quarterly Court shall keep said Commissioners elected by electing two Commissioners for the term of two years, and all vacancies shall be filled by like election for the unexpired term of the Commissioner whose place is to be supplied. Said Commissioners shall have charge, supervision, and control of the work-house in all of its departments, the convicts, the appointment or selection of a Superintendent of the work-house, all necessary guards and other employes, the discharging thereof at any time, in the discretion of the Commissioners, and generally to regulate and to control that department of the county's business.

SEC. 4. *Be it further enacted,* That at the first regular meeting of said County Courts, after the passage of this Act, the Quarterly Court may elect four Commissioners, whose term of service as such shall be until the first Monday in January, 1892, and the Judge or Chairman shall *ex officio* be a member and Chairman of said Board of Commissioners.

Oath.

SEC. 5. *Be it further enacted,* That the work-house Commissioners shall take an oath faithfully to discharge and perform the duties of their office, which oath shall be filed with the County Court Clerk, and a record of the same made on the minutes of the court, and they shall appoint one of their number Secretary. They shall prescribe the kind of labor at which the prisoners shall be put; *provided,* that when practicable they shall be worked on the county roads in preference to all other kinds of labor.

Meetings of Board.

Inspection.

Quorum.

SEC. 6. *Be it further enacted,* That the said Board of Commissioners shall meet once each month, and oftener if necessary, for the transaction of business, at the office of the Judge or Chairman of the County Court. They shall keep in a well bound book, to be furnished by the county, full and complete minutes of their proceedings. They shall examine all accounts submittted to them by the Superintendent, approve the same, if found correct, and enter them on their minutes, showing from whom furnished and for what purpose, and the amount, and the Chairman and Secretary shall sign the same and deliver them to the County Judge or Chairman of the County Court, who shall issue his warrant for their payment, and keep a record of the same, designating to whom issued and for what purpose, and shall preserve the vouchers. They shall visit and inspect the work-house prisoners where at work as often as necessary. They shall, at the close of each quarter, at least two days before the meeting of the Quarterly Court, submit the book kept by the Superintendent and the minute book of the board to the Judge or Chairman of the County Court for settlement and comparison with audited account kept in his office, and, if found correct, the Judge or Chairman shall endorse on such books, "Examined and approved," and sign his name thereto officially. Three members of said board shall constitute a quorum for the transaction of business. The said Board of Commissioners shall each receive such compensation as may be fixed by the County Court, to be paid quarterly upon warrant of the County Judge or Chairman.

SEC. 7. *Be it further enacted,* That the Board of Com-

Superintendent. missioners, when any county has established a separate work-house, or which has declared its jail to be a work-house, shall appoint a Superintendent of said work house; said Superintendent, when first appointed, shall hold his office for the remainder of the year; thereafter the Superintendent shall be appointed on the first Monday in January and hold his office for two years, unless sooner suspended or removed as provided in Section 3; *provided*, that where any county now has a Superintendent in charge of its work-house he shall hold over until the first Monday in January, 1892. The Superintendent appointed under this Act shall take an oath and give bond for the faithful discharge of his duty, with two or more approved sureties, in the sum of one thousand dollars, payable to the State of Tennessee for the use of the county, before the County Judge or Chairman, which oath and bond shall be filed with the County Court Clerk, and record made on the minutes of the Court. His salary shall be fixed by the Commissioners, which shall be paid quarterly on the warrant of the Judge or Chairman of the County Court.

Care of Prisoners. SEC. 8. *Be it further enacted*, That it shall be the duty of the Superintendent to discharge each prisoner as soon as his or her time is out, or upon order of the Board of Commissioners; to see that the prisoners are properly guarded to prevent escape; that they are kindly and humanely treated, and properly provided with clothing, wholesome food properly cooked and prepared for eating three times a day when at work; that they are warmly and comfortably housed at night and in bad weather; when sick that they have proper medicine and medical treatment, and in case of death be decently buried. He shall keep the males from the females, and the blacks from the whites—except when at work the whites may be worked with the blacks.

Accounts. SEC. 9. *Be it further enacted*, That he shall keep, or cause to be kept in a well bound book to be furnished by the county, an account of all supplies, implements and tools purchased for the work-house, keeping the account for supplies separate from implements and tools; he shall, when a purchase is made, obtain an authorized bill specifying from whom purchased, the kind and amount of the articles purchased and the date; he shall approve the same, enter it on his books and present it to the Commissioners for their approval; said Superintendent shall make to the Commissioners quarterly reports of the whole working system, the amount of the work done and its estimated value; the amonnt of current expenses for supplies and for tools and implements, and any other matter deemed necessary by him or ordered by the Commissioners of the County Court.

Sheriff Superintendent, when.

SEC. 10. *Be it further enacted,* That the Sheriff or jailer of the county whose jail has been declared a work-house shall deliver up the jail to said Superintendent and all prisoners therein; *provided* the Sheriff of any county shall have the right to the place of Superitendent himself, but not by deputy. If he elect to hold the place he shall notify the Judge or Chairman of the County Court in writing on or before the day fixed in this Act for the appointment of a Superintendent. In such case he shall remain in charge of the prison, but shall be subject at all times to the orders of the Court and Commissioners; his salary shall be fixed by the Commissioners; he shall be subject to dismissal by them, and shall have the powers and perform the same duties as any other Superintendent under this Act, it being the object and purpose of this Act to abolish the jail system in such counties as may avail themselves of it and establish the work-house system instead.

Control and management of jail.

SEC. 11. *Be it further enacted,* That after the jail of any county has been declared a work-house all persons liable to imprisonment for safe-keeping, whether charged with felonies or misdemeanors, shall be confined therein and be under the control of Work-house Commissioners and Superintendent. All such persons shall be securely kept and properly cared for. The State shall pay for the board of State's prisoners the amount necessary, but shall not exceed the amount now allowed by law. The bills for the same shall be made out each month and sworn to by the Suderintendent, and shall be approved by the Judge of the Circnit and Criminal Courts, and certified by the Clerk as now required by law. The amount of these bills from the State shall be paid to the Superintendent, who shall pay the same to the County Trustee on receivable warrant of the Judge or Chairman of the County Court, keep a record of the same in his account book, and show the amount in his report to the Commissioners.

Hard labor.

SEC. 12. *Be it further enacted,* That in all cases where a person is by law liable to be imprisoned in the county jail for punishment, or for failure to pay a fine and costs, or costs only, as the case may be, in misdemeanor cases and in felony cases, where the punishment has been commuted from confinement in the penitentiary to the county jail, he or she shall be sentenced to be confined and shall be confined at hard labor in the county work-house until the expiration of their sentence of imprisonment, and thereafter until the fine and costs, or costs only, as the case may be, have been worked out, paid or secured to be paid. All such fines and costs shall be paid to the County Trustee upon receivable warrant of the Judge or Chairman of the Court when paid by the prisoner or his sureties.

Fines.

SEC. 13. *Be it further enacted,* That when any person is sentenced to the work-house the Judge of the Court or Justice of the Peace trying the case shall fix the fine in each case against the prisoner at a sum equal to the State and county tax provided by law; *provided,* a greater fine may be entered in the discretion of the court.

Convicts returned to work house.

SEC. 14. *Be it further enacted,* That when any convict shall be sentenced by the courts to the work-house, his or her time of sentence to begin after a term of imprisonment in the penitentiary has expired, the Judge of said court shall, in the commitment to the penitentiary, cause this fact to appear, and shall direct the Warden of the penitentiary to notify the Superintendent of the work-house of the time when said convict will be discharged, and it shall be his duty to deliver the said convict up on the order of said Superintendent.

Statement of sentence.

SEC. 15. *Be it further enacted,* That a certified statement of the sentence of each prisoner shall be made out on printed blanks provided for the purpose and delivered to the Superintendent of the work-house, and also to the County Judge by the Clerk of the court or the Justice of the Peace trying the case, and shall specify the name of the convict, date of sentence, crime for which committed, the term of imprisonment, amount of fine and costs; and the Superintendent and the County Judge shall enter the same in a book provided by the county for that purpose, and the Superintendent shall also keep a record of the age, sex, complexion, color of the hair and eyes and nationality of each convict.

Per diem.

SEC. 16. *Be it further enacted,* That each prisoner confined in the work-house for a failure to pay or secure his or her fine and costs, or costs only, as the case may be, shall be credited at the rate of forty cents for each day of actual work of ten hours, and no prisoner shall be discharged upon the act of insolvency, nor before said fine and costs, or costs only, have been worked out, fully paid or secured, unless by order of the Board of Commissioners, as hereinafter specified.

Punishment.

SEC. 17. *Be it further enacted,* That any prisoner refusing to work or becoming disorderly may be confined in solitary confinement and fed on bread and water, or subjected to such other punishment, not inconsistent with humanity, as may be deemed necessary by the Commissioners for the government and control of the prisoners. Such prisoners, refusing to work or while in solitary confinement, shall receive no credit for the time so spent.

Good conduct.

SEC. 18. *Be it further enacted,* That the Board of Commissioners may, on recommendation of the Superintendent, deduct for good conduct a portion of the time for which any prisoner has been sentenced, or a portion of the fine, if he or she be working out a fine. Should any prisoner escape he or she shall forfeit all deductions that have been allowed, and when recaptured shall be made to work out the costs of the same in addition to the other costs in the case. The Commissioners may discharge any prisoner when satisfied from the certificate of the physician in charge that he or she is physically unable to do labor, or for any cause where they may deem it best for the institution and the public good.

Disability.

Bail.

SEC. 19. *Be it further enacted,* That any person, after sentence of punishment by imprisonment of any prisoner has expired, may, by contract with the Work-house Commissioners, and with the consent of the prisoner, bail out any prisoner under the following form and conditions:

STATE OF TENNESSEE.

....

I, ..., principal and .... sureties, do hereby agree to pay the State of Tennessee, for the use of .... County, the sum of .... dollars, in monthly installments of .... dollars, to be paid on the .... day of each month until the whole is paid, this being the amount for which .... is confined in the .... County work-house.

The said .... agrees to be bailed out of work-house by above parties, and agrees to work out or pay the amount above specified as therein stated, at the office of the County Judge or Chairman. Should .... fail to do so, then .... is liable to be arrested and delivered to the Superintendent of said work-house to work out any balance unpaid, and the costs of the arrest. In case of default and arrest, the bailee is only liable for the amount falling due prior to said arrest, this .... day of ...., 189...

And such prisoners, while so bailed, shall be in the hands of the bailee, who may at any time surrender and turn over said prisoner to the Superintendent of the work-house, and shall be discharged from further liability on said contract, provided he or she shall pay into the county treasury, on receivable warrant of the Judge or Chairman, the amount falling due by the terms of the contract prior to the surrender of the prisoner. The bailee shall have the power to arrest said prisoner in person or through any Sheriff or Constable anywhere in the State, and such prisoner, when arrested, shall be delivered to the Superintendent of the work-house, and shall be compelled to work out such part of the original fine and costs as have not been worked out or paid by him or her under the agreement, and the costs of the arrest in addition.

Delinquent bailee.

SEC. 20. *Be it further enacted*, That if the bailee fails to pay the fine and costs, or costs only, according to his or her agreement, then the Judge or Chairman of the County Court shall, in the name of the State, for the use of the county, proceed against said bailee and the sureties before any Justice of the Peace or Circuit Court.

Health officer.

SEC. 21. *Be it further enacted*, That where any county has a health officer and jail physician, he shall attend on all work-house prisoners while they remain in the jail building after sentence to the work-house, and give them such medicine and medical treatment as may be necessary, and said health officer and physician shall receive no additional compensation for such services other than his regular salary.

Contracts with other counties.

SEC. 22. *Be it further enacted*, That any county in the State not desiring to work its work-house prisoners may, through its Judge or Chairman, by direction of the Quarterly County Court, contract with any other county for the custody and employment of said prisoners. Such prisoners shall then be worked and guarded by the county contracting to take them, and shall be subject to any rules that may be established by the Work-house Commissioners of such county.

Acts repealed.

SEC. 23. *Be it further enacted*, That Chapter 33 of the Acts of 1875, passed March 22, 1875, and an Act amendatory thereof, passed March 1, 1883, Acts of 1883, Chapter 23, and all other Acts and laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 24. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 124.

AN ACT to amend an Act to abolish the Quorum Courts and devolve the duties and jurisdiction and powers thereof on the Chairman of the County Courts—Chapter 70 of the Acts of 1875—and to change the time of holding the County Courts of Pickett County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1, of Chapter 70, of the Acts of 1875, passed March 20, 1875, be so amended as to change the time of holding the Monthly County Courts of Pickett County to the second Monday, and such subsequent days as may be necessary in each month, instead of the first Monday, as is provided in said Act.

SEC. 2. *Be it further enacted*, That this Act take effect beginning with the second Monday in April, 1891, the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 125.

AN ACT concerning the powers of Railroad Companies in this State, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any and all railroad companies now or hereafter existing under the laws of this State, or of this State and any other State or States, whose charter of incorporation was or may be granted by this State, be and they are hereby authorized and empowered to acquire the line or lines of any other railroad company, either in this State or in any other State or States, which may connect with and form parts and parcels or branches or extensions of the line of such company chartered by this State, or by this State and any other State or States; and are authorized and empowered to so acquire such branches or extensions by purchase, lease or otherwise, and pay for the same by the issue of their own capital and bonds, or by guaranteeing those issued by the company whose line may be so acquired, purchased or leased; *provided, however,* that nothing in this Act shall be construed so as to authorize the acquisition in any way by any corporation or company of parallel or competing lines.

SEC. 2. *Be it further enacted,* That the public welfare requiring it, this Act take effect from and after its passage.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 126.

AN ACT to abolish the charter of incorporation of the town of Middleburg, in the County of Hardeman.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of incorporation of the town of Middleburg, in the county of Hardeman be and the same is hereby abolished.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 127.

AN ACT to authorize the Trustees of the "Tennessee Academy," in Rhea county, to transfer certain lands to the County of Rhea.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Trustees of the Tennessee Academy of Rhea County be and they are hereby authorized to transfer by deed to the County of Rhea the lands known as the "Academy lands," adjoining the poor house farm at Washington, containing fifty acres, more or less.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

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CHAPTER 128.

AN ACT for the relief of William Allen, Sheriff of Cocke County, Tennessee.

Whereas, It appears of record in the Secretary of State's office that on the 9th day of October, 1890, His Excellency Robert L. Taylor, Governor of Tennessee, issued his requisition on the Governor of South Carolina for the return of John Kerkindoll, charged with the larceny of a horse in Cocke County, Tennessee; and,

Whereas, William Allen, Sheriff of Cocke County, went after and brought the said John Kerkindoll back to Cocke County, where he was afterward tried, convicted and sentenced to three years' imprisonment in the State Penitentiary, and is now serving out the same; and,

Whereas, The Sheriff of Cocke County has never received any pay or compensation for said services; therefore,

Comptroller's warrant.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Comptroller be and is hereby directed to issued his warrant for the sum of seventy-seven dollars and eighty-five cents ($77.85) in favor of said Sheriff of Cocke County for services rendered and expenses incurred in bringing the said John Kerkindoll back into the State, and that the same be included in the General Appropriation Bill.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 129.

AN ACT to defray the current expenses of the session of the Regular Forty-seventh General Assembly and to defray the current expenses of the State government for the next two years.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That to defray the current expenses of the Regular Session of the Forty-seventh General Assembly, and to defray the current expenses of the State government for two years, commencing March 19, 1891, the following appropriations are made for the following purposes, and none other, which are to paid out of the Treasury on the warrant of the Comptroller, or so much thereof as may become necessary in the administration of the State government, and the Comptroller shall not issue his warrant upon the Treasurer for any other or more money, except on accounts where the appropriation has been made by law.

Current expenses.

CRIMINAL AND STATE PROSECUTIONS.

(*Costs accrued on behalf of the State.*)

Fees of clerks, magistrates, sheriffs, witnesses, etc	$ 200,000 00
Fees of District Attorneys-general	30,000 00
Jail fees	130,000 00
Boarding juries	20,000 00
Arresting fugitives	4,000 00
Lunatics to asylum	500 00
Supreme Judges (5) at $3,500 per annum	35,000 00
Chancery Judges (11) at $2,500 per annum	55,000 00
Circuit Judges (18) at $2,500 per annum	90,000 00
Criminal Judges (4) at $2,500 per annum	20,000 00
Criminal Judge (1) at $1,250	2,500 00
Attorney-general and reporter's salary at $3,000 per annum	6,000 00
Funding Board expenses as allowed by law.	

EXECUTIVE SALARIES.

Governor, at $4,000 per annum	8,000 00
Comptroller, at $2,750 per annum	5,500 00
Treasurer, at $2,700 per annum	5,400 00
Secretary of State, at $1,800 per annum	3,600 00
Comptroller's first clerk, at $1,800 per annum	3,600 00
Comptroller's second clerk, at $1,200 per annum	2,400 00
Treasurer's clerk, at $1,800 per annum	3,600 00
Adjutant-General, at $1,800 per annum	3,600 00
Secretary of State's clerk, at $1,500 per annum	3,000 00
Clerical assistance to Governor, $1,200 per annum	2,400 00
Superintendent for Hospital for Insane, Middle Tennessee, salary $2,000 per annum	4,000 00

Superintendent for Hospital for Insane, East Tennessee, salary, $2,000 per annum	4,000 00
Superintendent for Hospital for Insane, West Tennessee, salary $2,000 per annum	4,000 00
State Librarian, salary, $1,000 per annum	2,000 00
Assistant Librarian's salary, $500 per annum	1,000 00
Superintendent of Capitol, salary, $1,000 per annum	2,000 00

OFFICERS OF PENITENTIARY—SALARIES.

Salary of Superintendent, $2,400 per annum	4,800 00
Salary of Warden, $1,800 per annum	3,600 00
Salary of Deputy Warden, $1,500 per annum	3,000 00
Salary of Physician, $1,000 per annum	2,000 00
Salary of Chaplain, $300 per annum	600 00

LEGISLATIVE EXPENSES.

Mileage and per diem of members on schedule below.	
Per diem of officers on schedule below.	
Printing calenders, miscellaneous, stationery, etc	1,000 00

EXECUTIVE EXPENSES.

Books, blanks, stationery, etc., for four offices	4,000 00

CAPITOL EXPENSES.

Deficiency last appropriation	1,400 00
Gas, fuel, water, etc., and contingent repairs	3,500 00
One porter for Governor and Secretary of State at $480 per annum	960 00
One porter for Treasurer and Comptroller at $480 per annum	960 00
Two other porters for other officers and general work when needed, to be under the control of the Superintendent of the Capitol, at $420 per annum	1,680 00
Landscape gardener and day watchman, at $720 per annum	1,440 00
One all-night watchman, at $1,000 per annum	2,000 00
Unpaid accounts since January 1, 1891	571 62

SUPREME COURT EXPENSES.

East, Middle, and West Tennessee	5,000 00
To perfect State Law Library at Nashville, $500 per annum	1,000 00
Railroad assessments as provided by law.	

PUBLIC PRINTING.

Publishing Treasurer's quarterly report	1,800 00
Messages and reports of various officers as ordered under resolution	3,000 00
Publishing Acts, Journals, Appendices, etc	4,000 00
Assessment blanks	2,500 00
Library expenses	500 00

COMMON SCHOOLS.

To F. M. Smith for traveling expenses as Superintendent of Public Instruction for the years 1887-8, $500 per annum	1,000 00
Superintendent of Public Instruction, salary $2,000 per annum	4,000 00

Clerk of Superintendent, $1,000 per annum	2,000 00
Traveling expenses, $500 per annum	1,000 00
Interest on school fund	294,100 00
Interest on Spencer T. Hunt Fund to July 1, 1893	888 33
For defraying expenses of holding State Normal Institutions, $1,500 per annum	3,000 00

STATE NORMAL COLLEGE.

Per annum, $15,000	30,000 00
State Normal scholarships for colored students, $3,300 per annum	6,600 00

CHARITABLE INSTITUTIONS.

Hospital for Insane, Middle Tennessee, 350 patients at $170 each, per annum $59,500	119,000 00
Gas-holder	600 00
Laundry and washing machine	2,500 00
Boilers	2,700 00
Expenses for conveying 150 patients to West Tennessee Hospital	1,000 00
Hospital for Insane, East Tennessee, estimated at 275 patients, at $170 each, per annum	93,500 00
Furnishing rooms at East Tennessee Hospital for Insane.	1,000 00
Fire protection at East Tennessee Hospital for Insane	2,000 00
Hospital for Insane, West Tennessee, estimated at 350 patients, at $170 each, per annum	119,000 00
Furnishing rooms, etc	10,000 00
Tank	7,000 00

CONFEDERATE HOME AND PENSIONS.

For Confederate Home as per Act	35,000 00
For pensions for old soldiers as per Act, about $60,000 per annum (or as much thereof as may be necessary)	120,000 00

SCHOOL FOR DEAF AND DUMB.

Act March, 1867, allowed white department, payable quarterly	48,000 00
Colored pupils, payable quarterly	7,000 00
For repairs	3,500 00
For the purpose of building an additional house	10,000 00

SCHOOL FOR BLIND.

White and colored pupils, payable quarterly, according to Act of March, 1867	37,000 00
For repairs	3,000 00

BUREAU OF AGRICULTURE, STATISTICS, MINES AND IMMIGRATION.

Salary of Commissioner, at $2,500 per annum	$ 5,000 00
Expense of department, $10,000 per annum (including clerical assistance to Commissioner, $1,500 per annum	20,000 00

But none of this appropriation shall be used as long as there is any of the funds arising from fees for inspecting fertilizers remaining in the hands of the Commissioner.

STATE GEOLOGIST.

Salary of State Geologist, $300 per annum	$ 600 00

BUREAU OF LABOR.

Commissioner's salary, $1,800 per annum	3,600 00
Commissioner's clerk's salary, $1,200 per annum	2,400 00
Expenses, $1,000 per annum	2,000 00

MISCELLANEOUS ACCOUNTS.

For publishing 10,000 copies of Road Law, $400, or as much thereof as may be necessary.	
Express charges on money from collecting officers, etc	1,500 00
Tax aggregates	2,400 00
Supreme Court Reports	3,600 00
Publishing Governor's Proclamation, etc	500 00
Publishing Acts in newspapers	400 00
Copying Acts for newspapers and indexing them	150 00
State Board of Health	6,000 00
For Warden's office, main prison at Nashville, office furniture, telephone rent, photographic outfit, etc	150 00
For clerk to Pension Bureau, to be elected by said Bureau while needed, at the rate of $500 per annum	500 00
Stationery, stamps, blanks, etc	300 00
Expenses of Board of State Prison Inspectors, visits to be paid every four months	576 00
For G. H. Morgan, $18.90, under Resolution No. 6; J. S. Wooten, $2 70, under Resolution 98, as witnesses in the W. W. Wade case at the extra session of the Forty-sixth General Assembly.	
To pay past interest on loans, and interest on any future loans that may be necessary	20,000 00
Deficiency on last appropriation for interest on loans already paid	20,000 00
Frank Goodman, expert examining books, etc., in Comptroller and Treasurer's offices, as per joint resolution No. ——	995 00
An additional appropriation to be expended only in case of epidemic, on approval of the Governor	6,000 00
For Mountain District at Sparta	1,000 00

Comptroller's warrant.

SEC. 2. *Be it further enacted,* That the Comptroller of the Treasury issue his warrant to each member of the Senate, and to each officer and employe of the same, for the amount stated to be due in the following schedule:

NAMES OF SENATORS.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Alexander, T. J	176	$ 28 16	75	$300	$328 16
Barnes, J. A	220	35 20	75	300	335 20
Brown, W. L	454	72 64	75	300	372 64
Castile, J. M	180	28 80	75	300	328 80
Clear, Henry	566	90 56	75	300	390 56
Coats, A. J	392	62 72	75	300	362 72
Curtis, J. T	360	57 60	75	300	254 60
Davis, Major W. B	712	113 92	75	300	413 92
Early, J. H	258	41 28	75	300	341 28
Gallaway, M. C	464	74 24	75	300	374 24
Goodpasture, A. V	120	19 20	55	247	266 20
Hearn, Dr. H. M	104	16 64	75	300	316 64
Hornsby, S. B	440	70 40	75	300	370 40
Lenox, J. J	40	6 40	75	300	306 40
Long, T. C	344	55 04	75	300	355 04
McCorkle, J. C.	372	59 52	75	300	359 52
Martin, J. D	370	59 20	75	300	359 20
Morris, E. T	......	....	75	300	300 00
Neil, Dr. J. B	130	20 80	75	300	320 80
Penland, J. R	580	92 80	75	300	392 80
Polk, Van Leer	104	16 64	75	300	316 64
Reed, J. W	635	101 60	75	300	401 60
Rivers, Flournoy	160	21 60	75	300	321 60
Shinault, J. H	416	66 56	75	300	366 56
Stroud, L. D	100	16 00	75	300	316 00
Thomas, D. O	368	58 88	75	300	358 88
Trevathan, A. G	270	43 20	75	300	343 20
Tubbs, George	136	21 76	75	200	321 76
Weatherford, C	464	74 24	75	300	374 24
West, J. A	730	116 80	75	300	416 88
Willis, J. G	164	26 24	75	300	326 24
Woodloe, A. H	296	47 36	75	300	347 36

OFFICERS.

Dismuke, W. C., Speaker	52	8 32	75	450	458 32
Harris, J. A., Chief Cl'k.			75	450	450 00
Ewing, Caruthers, Ass' Clerk			75	450	450 00
Wilkinson, Miss Arbie, Engrossing Clerk			75	450	450 00
Taylor, Mrs. B. S., Ass't Engrossing Clerk			40	240	240 00
Kirby, James, page			75	300	300 00
Young, Jake, Sergeant-at-arms			77	308	308 00
Carr, Ben, porter			83	332	332 00
Smith, Bill, porter			83	332	332 00
Hearn, Mrs. Lida, temporary Eng. Clerk			17	102	102 00
Taylor, Miss Neva, Ass't. Engrossing Clerk					50 00
For copying record in land office, Middle Division.					900 00
For copying record in land office, Hiawassee Dist.					500 00

Comtroller's warrant.

SEC. 3. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to each member of the House, and the officers and employes of the same, for the amounts stated to be due them in the following schedule:

NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Akin, J. H	58	$ 10 25	78	$300	$310 28
Akin, J. F	376	60 16	75	300	360 16
Alleman, T. C	526	84 16	75	300	384 16
Allen, A. D			75	300	300 00
Avery, Sid	358	57 28	75	300	357 28
Aytse, Julius	415	66 40	75	300	366 40

NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Bean, J. J	166	$ 26 56	75	$300	$326 56
Bennett, B. W	30	4 80	75	300	304 80
Black, J. F	186	29 76	75	300	329 76
Bonner, T. J	320	51 20	75	300	351 20
Bowman, W. B	766	121 56	75	300	421 56
Boyle, Patrick	464	74 24	75	300	374 24
Brown, C. A	800	128 00	75	300	428 00
Buchanan, J. S	378	60 48	75	300	360 48
Carlock, L. H	260	41 60	75	300	341 60
Carson, T. B	440	70 40	75	300	370 40
Casselbury, J. D	390	62 72	75	300	362 72
Chenault, David	72	11 52	75	300	311 52
Cloud, G. G	676	108 16	75	300	408 16
Cochran, J. L	430	68 80	75	300	368 80
Collins, C. C	770	123 20	75	300	423 20
Cook, E. P	300	48 00	75	300	348 00
Crockarell, J. B	220	35 20	75	300	335 20
Crowder, Dr. J. N	510	81 60	75	300	381 60
Cyrus, C. V	96	15 36	75	300	315 36
Davis, Ralph	464	74 24	75	300	374 24
Dunbar, W. B	172	27 52	75	300	327 52
Ducan, W. R	374	59 84	75	300	359 84
Dykes, Dr. J. P. H	716	114 56	75	300	414 56
Fraker, Dr. W. E	712	113 92	75	300	413 92
Gailbreath, T. M	380	60 80	75	300	360 80
Goddard, E	566	90 56	75	300	390 56
Gordon, R. C	100	16 00	75	300	316 00
Greene, D. A	742	118 72	75	300	418 72
Gregory, T. G	120	19 20	75	300	319 20
Gunn, J. H	194	31 04	75	300	331 04
Hale, N. W	550	88 00	75	300	388 00
Hale, W. B	90	14 40	75	300	314 40
Hall, A. G	......	....	75	300	300 00
Hash, George	234	37 44	75	300	337 44
Hawkins, J. B	306	48 96	75	300	348 96
Hickey, R. L	672	107 52	75	300	407 52
Howlett, S. B	......	....	75	300	300 00

NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.		Number of Days.	Per Diem.	Total.	
Hughes, M. R...............	100	$ 16	00	75	$300	$316	00
Jacobs, Lee....................	130	20	80	75	300	320	80
Johnson, R. Y.............	103	16	64	75	300	316	64
Jones, J. W..................	402	64	32	75	300	364	32
King, S. R.	148	23	68	75	300	323	68
Knight, Dr. E. H..........	136	21	76	75	300	321	76
Knowles, J. H. S...........	200	32	00	75	300	332	00
Laslee, John P................	175	28	00	75	300	328	00
Ledgerwood, W. L.........	526	84	16	75	300	384	16
Linton, Johnson............	36	5	76	75	300	305	76
Looney, T. C...............	464	74	24	75	300	374	24
Lyons, P. A., Jr.....	84	13	44	75	300	313	44
McClelland, F. S..........	156	24	96	75	300	324	96
McMillan, R................	60	9	60	75	300	309	60
McRee, Dr. F. M..........	320	51	20	75	300	351	20
Malone, R. F...............	484	77	44	75	300	377	44
Maples, L. L................	810	129	60	75	300	429	60
Marler, G. W...............	382	61	28	75	300	361	28
Meredith, T. H............	164	26	24	75	300	326	24
Miller, E. C..........	480	76	80	75	300	376	80
Moody, J. B................	612	97	92	75	300	397	92
Mynett, W. H..............	576	92	16	75	300	392	16
Pearson, J. D...............	354	56	64	75	300	356	64
Pickens, L. W...............	560	89	60	75	300	389	60
Preston, H. L...............	104	16	64	75	300	316	64
Rains, Dr. N. F.......	480	76	80	75	300	376	80
Roberson, Beverly.........	376	60	16	75	300	360	16
Senter, W. M...............	354	56	64	75	300	356	64
Shaw, C. C..................	388	62	18	75	300	362	18
Shelton, W. F..............	439	70	25	75	300	370	25
Smith, A. E.................	244	39	04	75	300	339	04
Smith, J. R..........	90	14	40	75	300	314	40
Spence, W. J. D...........	120	19	20	75	300	319	20
Stem, R. H..................	140	22	40	75	300	322	40
Story, E......................	260	41	60	75	300	341	60
Stratton, J. Taylor........	14	2	24	75	300	302	24
Tansil, E. E.................	270	43	20	75	300	343	20

NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Taylor, A	572	91 52	75	300	391 52
Taylor, J. W	610	97 60	75	300	397 60
Thomas, B. R	302	48 32	75	300	348 32
Tipton, John A	540	86 40	75	300	386 40
Trice, J. H	376	60 16	75	300	360 16
True, H. C	100	16 00	75	300	316 00
Tucker, A. R	240	38 40	75	300	338 40
Vaden, H. B. C	136	21 76	75	300	321 76
Vincent, J. O	308	49 28	75	300	349 28
Watkins, T. J	458	73 28	75	300	373 28
Watson, W. J	370	59 60	75	300	359 60
Whittaker, H. C	582	93 12	75	300	393 12
Wilkinson, W. E	30	4 80	75	300	304 80
Work, R. J	100	16 00	75	300	316 00
Worthington, James	250	40 00	75	300	310 00
Wayatt, T. C	138	22 08	75	300	322 08
Yokely, Sam	144	23 04	75	300	323 04
Young, Sam	372	59 52	75	300	359 52

OFFICERS.

Myers, T. R., Speaker	126	20 16	75	450	470 16
Crockett, Chas, Chief Cl'k			75	450	450 50
Wills, A. M., Ass't Clerk			75	450	450 00
Taylor, L. K., J'rnal Cl'k			75	450	450 00
Ladd, Miss Anna, Engrossing Clerk			75	450	450 00
Wade, Miss ——, Assistant Engrossing Clerk			36	216	216 00
Sullivan, Mike, Sergeant-at-arms			85	340	340 00
Tribble, I. W., Assistant Sergeant-at-arms			85	340	340 00
Johnson, Charles, porter			75	300	300 00
Frierson, Joe, porter			75	300	300 00
Fields, John, porter			85	340	340 00
Avery, Frank, porter			75	200	300 00

nterest due. SEC. 4. *Be it further enacted,* That the Comptroller issue his warrant on the Treasurer for the interest due July 1, 1891, January 1, 1892, July 1, 1892, January 1, 1893, on the bonds comprising the State debt proper, and the railroad debt, as the same may be payable by statute.

Polk bonds. SEC. 5. *Be it further enacted,* That the Comptroller draw his warrant on the Treasurer in favor of the widow of ex-President Polk for the interest due July 1, 1891, January 1, 1892, July 1, 1892, and January 1, 1893, on the bonds of the State owned and held by her, on the first day of January, 1877, not exceeding twenty-nine in number; *provided,* said bonds be not funded before said dates, and in event they be refunded the Comptroller will draw his warrant for the payment of interest on said bonds as refunded.

Interest due. SEC. 6. *Be it further enacted,* That the Comptroller issue his warrant on the Treasurer for the payment of interest due July 1, 1891, January 1, 1892, July 1, 1892, January 1, 1893, on bonds and certificates of indebtedness held by charitable, literary or educational institutions in this State, as the same may be due by existing laws.

Duties of Chief Clerk. SEC. 7. *Be it further enacted,* That the Chief Clerk of the Senate be directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the Senate with the Secretary of State, to recopy the Journals of the Senate for the Public Printer, to read proof, superintend the printing of the Journals of the Senate, and to make index to the same, for which the sum of twelve hundred dollars is hereby appropriated, and for such services the Comptroller be and is hereby directed to issue his warrant on the Treasurer for said sum in favor of said Clerk; and that the Assistant Clerk shall remain and assist the Chief Clerk in recopying the Senate Journals, etc., and for such services he shall be allowed five hundred ($500) dollars, and that the Comptroller be directed to draw his warrant on the Treasurer for said amount in favor of said Assistant Clerk. Assistant Clerk

Chief Clerk of House. SEC. 7½. *Be it further enacted,* That the Chief Clerk of the House be directed to remain a sufficient time after adjournment of the General Assembly to file properly the papers of the House with the Secretary of State, to recopy the Journals of the House for the Public Printer, reading proof, superintending the printing of the Journals of the House, and making the index to the same, for which the sum of twelve hundred ($1,200) dollars is hereby appropriated, and for such services the Comptroller be and he is hereby directed to issue his warrant on the Treasurer for said sum in favor of said Clerk; and that the Assistant Clerk shall remain and assist the Clerk in recopying the House Journals, etc., and for such services he shall be allowed four hundred and fifty (450) dollars, and that the Comptroller be directed to draw his warrant on the Treasurer when said Clerk shall have completed said work.

Assistant Clerk

SEC. 8. *Be it further enacted*, That the following appropriations are hereby made for the Committee on Charitable Institutions, and the Comptroller is hereby directed to draw his warrants for said amounts to the following parties:

Appropriations.

SENATE.

A. J. Coats, ten days, at $4 per day	$40 00
D. O. Thomas, ten days, at $4 per day	40 00
A. H. Woodlee, ten days, at $4 per day	40 00
J. E. McCorkle, ten days, at $4 per day	40 00
J. G. Willis, ten days, at $4 per day	40 00
J. H. Early, ten days, at $4 per day	40 00
J. T. Curtis, ten days, at $4 per day	40 00

HOUSE.

F. M. McRee, ten days, at $4 per day	40 00
A. D. Allen, ten days, at $4 per day	40 00
T. J. Bonner, ten days, at $4 per day	40 00
J. J. Bean, ten days, at $4 per day	40 00
J. D. Casselbury, ten days, at $4 per day	40 00
J. D. Pearson, ten days, at $4 per day	40 00
N. F. Raines, ten days, at $4 per day	40 00
D. A. Green, ten days, at $4 per day	40 00
J. W. Jones, ten days, at $4 per day	40 00
Caruthers Ewing, Clerk, ten days, at $6 per day	60 00
M. D. Sullivan, Sergeant-at-arms, ten days, at $4 per day	40 00

SEC. 9. *Be it further enacted*, That the Comptroller of the Treasury be and is hereby directed to issue his warrant on the Treasurer for the following amounts, stated in the schedule below to be due the following parties, on account of Senate, viz:

Comptroller's warrant.

For postage furnished Senators, per Senate Resolution No. 2	$165 00
For stationery furnished Senators, per Senate Resolution No. 6.	165 00
For work on desks, per Senate Resolution No. 20	3 50
Articles for Senate, per Senate Resolution No. 9	2 35
Laundry, blacking, repairing Speaker's chair as per account	5 40
Harry Coe, Page during organization, four days, at $4 per day, per Senate Resolution No. 3	16 00
J. W. Barnes & Co. for articles furnished Senate before organization, per Senate Resolution No. 4	28 05
John P. Hickman, Sergeant-at-arms during organization, five days, at $4 per day, per Senate Resolution No. 4	20 00

Ike Oldham, porter before and during organization, eighteen days, at $3 per day, per Senate Resolution No. 7	54 00
Forbes Keeble, porter before and during organization, eighteen days, at $3 per day, per Senate Resolution No. 13	54 00
W. F. Overstreet, repairing door and desks before organization, per Senate Resolution No. 15	5 20
W. M. Cook, work on desks, per Senate Resolution No. 17	15 30
W. M. Cook, work on safe $5; and M. Strube & Co., fixing Clerk's desk, $44.60, per Senate Resolution No. 10	49 60

Comptroller's warrant.

SEC. 10. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to issue his warrant on the Treasurer for the following amounts stated in the schedule below, to be due the following parties on account of House, viz.:

Eth B. Wade, services as Chief Clerk nine days, at $6 per day, per House Resolution No.	54 00
John M. Burger, services as Sergeant-at-arms, nine days, at $4 per day, per House Resolution, No. 23	36 00
J. D. Lauderdale, service as Sergeant-at-arms, seven days, at $4 per day, per House Resolution, No. ——,	28 00
W. B. McCooms, service as Sergeant-at arms, seven days, at $4 per day, per House Resolution, No. ——,	28 00
Scott Morris, services as porter, before and during organization, twenty-two days, at $4 per day, per House Resolution, No. 4	88 00
Sylvanus Martin, service as porter before and during organization, twenty-two days, at $4 per day, per House Resolution, No. 4	88 00
Sanders Martin, services as porter before and during organization, 22 days at $4 per day, per House Resolution No. 4	88 00
Bob Wyatt, services as porter before and during organization, 22 days at $4 per day, per House Resolution No. 8	88 00
Postage for Representatives, per House Resolution, No. 8	495 00
Wm. Rear, work on safe in Engrossing Clerk's Room, per House Resolution, No. 8	5 00
W. F. Overstreet, keys and lock, per House Resolution, No. 8.	5 00
W. F. Overstreet, filing keys, per House Resolution, No. 8	5 00

SEC. 11. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to issue his warrant on the Treasurer in favor of the following parties, stated to be due in the schedule below, on account of Governor's inauguration, viz.: (See House Joint Resolution, No. 45.)

Warren & Co., chairs	$ 20 00
Prof. Gus Fischer, brass band	80 00
Jake Brown, hauling flowers from Asylum	20 00
W. G. Curry, flowers	50 00
Connell-Hall-McLester Company, bunting	2 00
Nashville City Transfer Company, bus	5 50
W. R. Cornelius, hacks	16 50
Artillery Company, powder	10 00
Marshall & Bruce, badges $5, programmes $12	17 00

SEC. 12. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to

issue his warrant on the Treasurer in favor of Marshal & Bruce for the sum of two hundred and ninety-three ($293) dollars for furnishing to members and officers of this General Assembly Miller's Manual, per House Joint Resolution No. 28.

SEC. 13. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to issue his warrant on the Treasurer in favor of M. D. Sullivan for $225.55 paid by him for expenses of Educational Committees of the Senate and House who visited during recess, under Senate Joint Resolution No. 21, certain State Educational Institutions.

Educational Committee.

SEC. 14. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to issue his warrant on the Treasurer in favor of each member and to the Clerk of the sub-Educational Committee which visited, under Senate Joint Resolution No. 21, certain State Educational Institutions stated to be due in the schedule below:

L. D. Stroud, ten days, at $4 per day	$40 00
A. V. Goodpasture, two days at $4 per day	8 00
J. R. Penland, ten days, at $4 per day	40 00
W. L. Brown, ten days at $4 per day	40 00
J. H. Shinault, ten days, at $4 per pey	40 00
T. J. Alexander, ten days, at $4 per day	40 00
J. D. Martin, ten days, at $4 per day	40 00
Henry Clear, ten days, at $4 per day	40 00
James A. Harris, Clerk, ten days, at $6 per day	60 00

HOUSE.

Lee Jacobs, ten days, at $4 per day	$40 00
J. Taylor Stratton, ten days, at $4 per day	40 00
T. J. Watkins, ten days, at $4 per day	40 00
E. C. Miller, ten days, at $4 per day	40 00
P. A. Lynn, ten days, at $4 per day	40 00
C. C. Shaw, ten days, at $4 per day	40 00
H. L. Preston, ten days, at $4 per day	40 00

Sergeant-at-Arms.

SEC. 15. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to issue his warrant on the Treasurer in favor of Jake Young, Sergeant-at-arms, for money paid out by him as expenses of the Penitentiary Committee, which visited, during recess, under authority of Senate Joint Resolution No. 21, the various State prisons, said amount being two hundred and fifty-eight dollars and forty-five cents ($258.45.)

Penitentiary Committee.

SEC. 16. *Be it further enacted,* That the Comptroller of the Treasury be and he is hereby directed to issue his warrant on the Treasurer in favor of the following parties, for amounts stated to be due them in the schedule below, being members, officers, etc., of the Penitentiary Visiting Committe, viz.:

SENATE.

Eli T. Morris, ten days, at $4 per day	$40 00
J. J. Lennox, ten days, at $4 per day	40 00
H. M. Hearn, ten days, at $4 per day	40 00
A. G. Trevathan, ten days, at $4 per day	40 00
J. A. West, ten days, at $4 per day	40 00
S. B. Hornsby, ten days, at $4 per day	40 00
J. W. Reed, ten days, at $4 per day	40 00
Jake Young, Sergeant-at-arms, ten days, at $4 per day	40 00
J. D. Campbell, stenographer, per account, and reporting and amount paid for copying	135 00

HOUSE.

A. E. Smith, ten days, at $4 per day	$40 00
M. A. Hughes, ten days, at $4 per day	40 00
J. L. Cochran, ten days, at $4 per day	40 00
E. E. Tansil, ten days, at $4 per day	40 00
F. S. McClelland, ten days, at $4 per day	40 00
W. B. Hale, ten days, at $4 per day	40 00
T. Bun Carson, ten days, at $4 per day	40 00
George Hash, ten days, at $4 per day	40 00
J. P. Hawkins, ten days, at $4 per day	40 00

Appropriations.

SEC. 17. *Be it further enacted,* That the following appropriations are hereby made to the following parties for the following accounts:

Marshal& Bruce, one Code for Hancock County, and two for DeKalb County	$ 23 00
Marshall & Bruce, two Codes for Anderson County	15 85
Lem Hart, for attending to water-closets from January 1 to April 1	360 00
Bill Miller, and other parties, assisting in attending to same from January 1 to April 1	360 00
Foster & Webb, printing bills, revenue and appropriation	90 00
W. T. Barrett, sheriff Bradley County, for expenses going to Arkansas and bringing back J. H. Hall on charge of larceny, under requisition	110 00
Marshall & Bruce, printing Acts, Journals, etc., of Legislature of 1889, and Calenders, as per bill approved by Printing Commissioners for which no appropriation was then made	4,998 41
Presbyterian Publishing House, Bibles for Penitentiary	15 00
C. D. Elliott, prayers for House	200 00
Erskine Reed, prayers for Senate	200 00
Terry Manufacturing Company, repairs on House Clerk's Desk	81 00
Council in State Line Cases in full under Chapter 222, Acts of 1889, as per accounts in Secretary of States office	2,500 00

SEC. 18. *Be it further enacted,* That the following appropriations are made for the Adjutant-General's Department, which shall be paid out on accounts approved by the Governor:

Printing forms, books, etc., for Adjutant-General's office	$ 500 00
Inspector-General's, for inspection, traveling expenses, etc.	1,000 00
Freight expense, drayage, etc, on arms to and from various companies and United States Arsenals	1,000 00
For Armory	400 00

SEC. 19. *Be it further enacted,* That the sum of $100 per capita is hereby appropriated for each scholar that may be admitted into the Tennessee Industrial School under the *pro rata* allowed; *provided,* that if more scholars are admitted than allowed by said *pro rata* then the whole amount of such scholarships shall be paid by the county sending them. The above shall be in lieu of any allowance or *pro rata* by counties. Industrial School.

SEC. 20. *Be it further enacted,* That the the following other appropriations are hereby made for said school:

Additional work-shops	$500 00
Bath-house	300 00
Tools and Implements for Laundry Shops and Printing office.	400 00
Seeds and Fruit plants	200 00
Teams and wagons	395 00

SEC. 21. *Be it further enacted,* That the sum of $30,000 is hereby appropriated for repairing the Capitol building and grounds, and the Governor, Secretary of State, Comptroller and Treasurer are hereby made Commissioners for the expenditure of said fund. Capitol repairs.

SEC. 22. *Be it further enacted,* That the funds derived from the insurance policies held by the Board of Trustees of the Central Hospital for the Insane, near Nashville, on the loss of the wing of that hospital recently destroyed by fire, upon adjustment with the insurance companies, being found insufficient to rebuild said wing, the Comptroller is hereby authorized and directed to issue his warrant in favor of the President of the Board of Trustees of said hospital for the sum of ten thousand ($10,000) dollars, or as much thereof as may be necessary to complete the same as certified by accounts to be filed with the Comptroller; and any remainder thereof shall be covered into the treasury; and any portion of the sum appropriated in Section 1 of this Act for the ordinary support of said hospital for the ensuing two years which may not be drawn therefor, for the period of the temporary transfer of the male patients of that hospital to the care of the hospital at Bolivar, shall be used by the Trustees of the Central Hospital in aid of the building fund to make their structure more nearly fireproof, and for that purpose the Comptroller is hereby directed to issue his warrant to the President of the Hospital for Insane.

Board of Trustees for such sum as it may be computed to be under Section 5, Chapter 118, of the Acts of 1885.

Sheriff of Madison County.

SEC. 23. *Be it further enacted*, That the Comptroller of the Currency issue his warrant on the Treasurer in favor of B. F. Young, Sheriff of Madison County, to meet expense account to Arkansas and Mississippi after T. S. Johnson and Bryant for murder, for $71.40, and that he issue his warrant for $210 to meet the requirement of House Joint Resolution No. 130.

John Burger.

SEC. 24. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of John Burger for the sum of one hundred dollars for forty days' work stamping and canceling coupons.

D. M. Sullivan.

SEC. 25. *Be it further enacted*, That the Comptroller of the Treasury be and is hereby directed to issue his warrant in favor of D. M. Sullivan for one hundred and eighty-seven ($187) dollars for expenses for Subcommittee on Charitable Institutions.

SEC. 26. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 130.

AN ACT to provide for the assessment and taxation of mineral interest in land.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That herafter all mineral interests in land in this State, purchased by individuals or companies, shall be taxed as real estate.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 131.

AN ACT to apportion the Representatives of the State in the Congress of the United States.

Apportionment.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the counties of Johnson, Carter, Sullivan, Washington, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke, and Grainger shall compose the First Congressional District of this State.

The counties of Jefferson, Union, Sevier, Blount, Knox, Loudon, Roane, Anderson, Morgan, Campbell, and Scott shall compose the Second Congressional District of this State.

The counties of Monroe, Polk, Bradley, Hamilton, James, McMinn, Bledsoe, Grundy, Van Buren, White, Warren, Franklin, Marion and Meigs shall compose the Third Congressional District of this State.

The counties of Sumner, Wilson, Macon, Trousdale, Smith, Clay, Jackson, Overton, Putnam, Fentress, Pickett, Cumberland, and Rhea shall compose the Fourth Congressional District of this State.

The counties of Coffee, Lincoln, Moore, Rutherford, Marshall, Bedford, Cannon, and DeKalb shall compose the Fifth Congressional District of this State.

The counties of Davidson, Robertson, Cheatham, Montgomery, Stewart, Humphreys, and Houston shall compose the Sixth Congressional District of this State.

The counties of Williamson, Maury, Giles, Lawrence, Wayne, Lewis, Hickman, and Dickson shall compose the Seventh Congressioal District of this State.

The counties of Henry, Benton, Perry, Decatur, Hardin, McNairy, Henderson, Madison, Carroll, and Chester shall compose the Eighth Congressional District of this State.

The counties of Weakley, Gibson, Crockett, Haywood, Lauderdale, Dyer, Obion, and Lake shall compose the Ninth Congressional District of this State.

The counties of Hardeman, Fayette, Shelby, and Tipton shall compose the Tenth Congressional District of this State.

New Counties.

SEC. 2. *Be it further enacted*, That any new counties that may be made out of any part of the above counties shall vote with the counties from which they are taken, until the next apportionment of Reprssentatives in Congress is made by the General Assembly.

SEC. 3. *Be it further enacted*, That this Act take effect November 1, 1892, the public welfare requiring it.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 132.

AN ACT to amend an Act entitled an Act to establish and maintain a uniform system of public schools passed March 6, 1873, and approved March 15, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 31 of the Act entitled "An Act to establish and maintain a uniform system of public schools," passed March 6, 1873, be so amended as to read:

Public School law.

1. There shall be two classes of district public schools, designated respectively Primary Schools and Secondary Schools.

2. The directors of each school district shall establish and maintain therein as many primary schools as may be necessary to teach the children of the district; but they shall have due regard to increasing the length of the school term for the benefit of the district by limiting the number of schools, and they shall not waste the school funds by unnecessary multiplication of schools. In every primary school shall be taught orthography, reading, writing, arithmetic, grammar, geography, History of Tennessee and History of the United States, containing the Constitution of the United States; vocal music and elocution, or the art of public speaking, may be taught therein, and no other branches shall be introduced.

Duties of Directors.

Studies.

3. The directors of each school district, whenever the interests of the district shall require it, may establish and maintain therein one or more secondary schools. Every secondary school shall consist of a principal, and when necessary an assistant or assistants may be employed. In every secondary school shall be taught the following branches: Orthography, reading, writing, arithmetic, grammar, geography, History of Tennessee, History of the United States, containing the Constitution of the United States, Elementary Geology of Tennessee, Elementary Principles of Agriculture, elements of algebra, elements of plane geometry, elements of natural phiosophy, book-keeping, elementary physiology and hygiene, elements of civil government, and rhetoric or higher English. Practice shall be given in elocution, or the art of public speaking. Vocal music may be taught, and no other branches shall be introduced.

Secondary schools.

Studies.

SEC. 2. *Be it further enacted,* That section 32 of said Act be amended to read:

1. That the course of study in the public schools of

Amendment. each county shall be graded, and the system of promoting pupils through the several grades shall be prescribed by the County Superintendent thereof in accordance with the general regulations of the State Superintendent. The course of study in the primary schools shall consist of five grades, and the course of study in the secondary schools shall consist of eight grades—the first five grades in each being identical.

2. Pupils completing the first five grades and attaining proficiency therein, shall receive a certificate from the State Superintendent certifying that the holder has completed the primary school course, which shall be countersigned by the County Superintendent and the District Directors, and the teacher or teachers of the school, and shall entitle the holder to enter the sixth grade of the secondary school of any school district, or of the high school of any high school district, which is now or may hereafter be established, and in which the holder resides.

Certificate.

3. Pupils completing the eight grades in the course of the secondary schools, and obtaining proficiency therein, shall receive a diploma from the State Superintendent, which shall be countersigned by the County Superintendent, and by the District Directors, and by the teachers of the school, and which shall entitle the holder to enter the ninth grade of the high school of any high school district which is now or may hereafter be established, and in which the holder resides.

Diploma.

Sec. 3. *Be it further enacted,* That it shall be the duty of the State Superintendent to have printed and distributed to the school officers of the State and to the County Courts of the several counties, appropriate forms and instructions for carrying into effect the provisions of this Act.

Forms.

Sec. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and same are hereby repealed.

Conflicting laws repealed

Sec. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 133.

AN ACT to authorize the county of Rhea, through its Quarterly County Court, to issue bonds to build a court-house and for court-house improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Rhea, through its Quarterly County Court, be and the same is hereby authorized and empowered to issue coupon bonds of the county for the purpose of erecting a court-house and for court-house improvements, not to exceed the sum of thirty thousand dollars, bearing interest at the rate of six per cent. per annum, said interest payable annually, the bonds herein provided for to mature at a time or times from one to twenty years, as may be fixed by order of said Quarterly County Court. May issue bonds.

SEC. 2. *Be it further enacted,* That each of said bonds shall be signed by the Chairman of said County Court and countersigned by the County Court Clerk, with his official seal affixed to the same, and said bonds may be executed of the denominations of fifty dollars to ten thousand dollars, at the discretion of said County Court. Bonds signed.

SEC. 3. *Be it further enacted,* That each of said bonds shall be issued with coupons attached showing the amount of each annual installment of interest on said bonds and when the same shall fall due, which coupons shall be signed and countersigned in the same manner as the bonds, but without the official seal of the Clerk, and showing on their face the number and denomination of the bond to which they are attached. The coupons herein provided for shall become due annually, and when due shall be receivable in payment of any county taxes except the sinking fund tax hereinafter mentioned, and when so received or paid off by the Trustee or Tax Collector, shall be by him cancelled by stamping or writing on the face thereof the date received or paid, and shall be held by him as his vouchers for the payment of a like amount on his settlement with the Chairman of the County Court, who shall preserve said coupons as a part of the record of his office. Coupons.

SEC. 4. *Be it further enacted,* That each denomination of said bonds shall be numbered in the order of issuance, commencing with "one," and said Quarterly County Court shall, by order, levy a tax on the taxable property Denomination of bonds.

of said county for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of the bonds herein authorized when they fall due, and the Tax Collector or Trustee shall collect and account for the tax herein authorized the same as he is required by law to collect and account for other taxes, and shall receive the same compensation for collecting as for collecting other county taxes, and the County Court may, when it thinks proper, require such Trustee or Tax Collector to give an additional bond for the performance of his duties in collecting and accounting for said funds.

Par value.

SEC. 5. *Be it further enacted,* That said bonds shall not be sold for less than par value.

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 134.

AN ACT to detach the County of Rhea from the Fourth Judicial Circuit and attach it to the Seventeenth Judicial Clircuit, and to fix the times for holding the Circuit Courts of said County.

Judicial circuit

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County of Rhea is hereby detached from the Fourth Judicial Circuit and attached to and included in the Seventeenth Judicial Circuit of the State of Tennessee.

Terms of court

SEC. 2. *Be it further enacted,* That the Circuit Courts of Rhea County shall, after the first term of said Court following the passage of this Act, be held on the second Mondays in April, August and December, and that the Judge and Attorney-general for said Seventeenth Judicial Circuit shall hold said Courts.

SEC. 3. *Be it further enacted*, That this Act take effect from and after the first term of said Court following the passage of this Act, the public welfare requiring it.

Passed March 10, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 135.

AN ACT to establish a Chancery and Law Court at Cumberland Gap in the County of Claiborne.

Chancery District.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Third and Fourth Civil Districts of Claibourne County shall constitute a Chancery District, and the Court shall be held at the town of Cumberland Gap, by the Chancellor of the First Chancery Division of the State on the Fourth Monday of January and third Monday in June of each and every year.

Clerk and Master.

SEC. 2. *Be it further enacted*, That the Clerk and Master of Claiborne County shall, immediately after the passage of this Act, appoint a Clerk and Master for said Court who shall perform all the duties, have all the rights and powers, and be subject to all the duties and liabilities now by law imposed upon such officers, shall have the fees and emoluments as are now allowed to such officers, and before entering upon the duties of said office he shall execute the several bonds now required by law for Clerks and Masters to execute, and shall take the oaths prescribed by law, and shall keep his office in the town of Cumberland Gap.

Sheriff.

SEC. 3. *Be it further enacted*, That the Sheriff of said Claiborne County, and his deputies, shall serve as the officers of said Court, and shall obey all orders and execute all process as now required by law to do by the orders of the Chancery Courts of said Claiborne County. He shall execute separate bonds for the faithful performance of his duties as such officer of said Court, and shall have all the rights and be subject to the same penalties, and receive the same compensation as now provided by law for the various Sheriffs of this State.

Fines and forfeitures.

SEC. 4. *Be it further enacted,* That the fines and forfeitures arising or growing out of any business in said Court shall be disposed of as the fines and forfeitures which are now collected in the Chancery Courts of this State.

Suits transferred.

SEC. 5. *Be it further enacted,* That any suits now pending or hereafter brought in the Chancery Court at Tazewell may, by consent of the parties, be transferred to the Chancery Court at Cumberland Gap. That upon application of the parties for a removal as aforesaid, the Clerk and Master at Tazewell shall transmit all papers in the case, together with a copy of all orders and decrees, to the Clerk of the Chancery Court at Cumberland Gap, also a bill of the cost accrued in said Court of Tazewell.

Civil Districts.

SEC. 6. *Be it further enacted,* That the citizens of the Third and Fourth Civil Districts of said Claiborne County may bring their suits in equity in the said Court at Cumberland Gap against any citizen residing within said Civil Districts, but no citizen residing without of said Third and Fourth Civil Districts shall be sued in said Courts unless the subject of said suit is situate in said Civil District.

Jurisdiction.

SEC. 7. *Be it further enacted,* That no citizen of the said Third and Fourth Civil Districts of said county shall be sued in the Chancery Court at Tazewell for said county, unless it be in a local action of which said last mentioned court has exclusive or concurrent jurisdiction by reason of the location of the property about which the action may be brought.

Writs may issue.

SEC. 8. *Be it further enacted,* That counterparts of writs may issue from said court against any defendants residing or living beyond the limits of said Third and Fourth Civil Districts in all cases where the court has the legal or rightful jurisdiction of the subject-matter of the litigation.

Court-house.

SEC. 9. *Be it further enacted,* That the expense of erecting or providing a court-house and all necessary offices for said court shall be paid by the citizens of the town of Cumberland Gap, and none of the citizens of Claiborne County residing out of the limits of the town of

Cumberland Gap shall ever be taxed to pay any part of the expenses of erecting or providing any of said public buildings at Cumberland Gap in which to hold said court.

Law Court.

SEC. 10. *Be it further enacted*, That there shall be held at Cumberland Gap, in the County of Claiborne, a Law Court for the Third and Fourth Civil Districts of said county, to be called the Law Court of Cumberland Gap, and to constitute one of the courts of the Second Judicial Circuit, and to be held by the Judge thereof with common law jurisdiction, original and appelate, over all causes of a criminal and civil nature arising within the Third and Fourth Civil Districts.

Appeal.

SEC. 11. *Be it further enacted*, That the citizens of the Third and Fourth Civil Districts of said county may bring their civil actions in said Law Court against citizens of the Third and Fourth Civil Districts, and said Law Court shall have and exercise jurisdiction over the same, and all causes heard and determined before any Justice or Justices of the Peace of said Third and Fourth Districts may be appealed, or brought up by appeal or otherwise to said Law Court; *provided*, the plaintiff or defendants reside in the Third and Fourth Civil Districts, and either of them demand such appeal, and said Law Court shall have and exercise jurisdiction over all such cases.

May waive rights.

SEC. 12. *Be it further enacted*, That the citizens of said county of Claiborne, residing outside of said Third and Fourth Districts, shall not be liable to be sued in said Law Court at Cumberland Gap, unless in real actions of which said Law Court has exclusive jurisdiction, but any defendant residing outside of said Third and Fourth Civil Districts may waive his rights and have his suit returned to said Law Court, notwithstanding the process issued from and is returnable to the Circuit Court of Claiborne County in civil action, unless the cause of action is of such a local nature as to give the Circuit Court of Claiborne County peculiar or exclusive jurisdiction. In all cases as provided for in this section where the right is so waived, the said Law Court shall have and excercise jurisdiction over them as if the same had been brought by the citizens of the Third and Fourth Civil Districts against citizens of the same districts.

Time of court.

SEC. 13. *Be it further enacted*, That said Law Courts shall be held by the Judge of the Second Judicial Circuit on the second Monday of May, September, and January of each and every year, and said judge shall have and exercise all the powers and perform all the duties provided by law for the Circuit Court Judges of this State, and the Attorney-general of said Second Judicial Circuit shall attend said court and transact all the business appertaining to his office, and shall have all powers and privileges in doing same now allowed the Attorney-generals of this State, and the practice in said Law Court be the same as in the Circuit Courts of the State, and whenever said Law Court has jurisdiction over any cause of action counterparts of any original writs may issue from said court for joint defendants residing outside of said Third and Fourth Districts.

Attorney-general.

SEC. 14. *Be it further enacted*, That the Sheriff of said Claiborne County shall, by himself or deputy, attend the sitting of said court and aid in holding the same, as is now provided by law for Sheriffs of this State requiring them to be present and discharge certain duties; and said Sheriff shall himself, or have a deputy who shall, reside in the Fourth Civil District, and shall himself, or deputy, perform all the duties pertaining to said Law Court, and have all the fees and emoluments that are now allowed by law to the various Sheriffs of this State.

Sheriff.

SEC. 15. *Be it further enacted*, That the Clerk of the Circuit Court of Claiborne County shall be the Clerk of said Law Court at Cumberland Gap, and shall, by himself or deputy, keep an office in the town of Cumberland Gap for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all the powers and receive all the fees and emoluments that are now common to all Clerks of the Circuit Courts of this State.

Clerk.

SEC. 16. *Be it further enacted*, That the Justices of the Peace of said Third and Fourth Civil Districts shall, on the first Monday of May, September, and January of each and every year, designate twenty-five good citizens, freeholders or householders, residing in the Third and Fourth Civil Districts, to serve as jurors to said Law Court, and of which the Judge of said court shall empanel a grand and traverse jury as is now provided by law for Circuit Courts for the term immediately ensuing after their designation; and said Justices shall hand a list containing said jurors to the Clerk of said Law Court, who shall immediately issue a writ of "*venire facias,*" commanding the Sheriff to summon said jurors named in said writ to attend as jurors. If said Justices fail to designate said jurors, the Judge shall, at the opening of said Court at each term when such faiure occurs, appoint the jurors for said term out of any of the citizens who

Magistrates to designate jurors.

are qualified and reside in the Third and Fourth Civil Districts of said county, and the jurors of said Law Court shall have the same pay as the jurors who attend the Circuit Courts of this State, and be paid as jurors of said Claiborne County.

SEC. 17. *Be it further enacted,* That the citizens of the town of Cumberland Gap shall pay all the expenses incurred in erecting or providing suitable buildings for a court-house and necessary public offices for said Law Court, and none of the other citizens of Claiborne County, or of said Third and Fourth Districts of Claiborne County, except the citizens of the town of Cumberland Gap, shall ever be taxed for said purpose.

Citizens to pay.

SEC. 18. *Be it further enacted,* That any suit or suits of a civil nature now pending in the Circuit Court of Claiborne County between citizens of the Third and Fourth Civil Districts may, by consent of the parties or their attorneys, be transferred to the Law Court at Cumberland Gap, and said court shall have and exercise the same jurisdiction over them as if they had been originally brought in said Law Court; that all fines and forfeitures arising from or growing out of said Law Court shall be disposed of as the fines and forfeitures which are imposed by the Circuit Court of Claiborne County.

Suits transferrable.

SEC. 19. *Be it further enacted,* That the court-house building and offices necessary for the holding of said courts, shall be erected at a point known as Hamilton Springs within the incorporate limits of the town of Cumberland Gap, it being the most accessible point within the incorporate limits of said town to hold said courts.

Location of court-house.

SEC. 20. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 136.

AN ACT to create the office of County Judge for the county of Obion, and to prescibe his duties.

County Judge.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Obion County a person learned in the law, to be styled County Judge, who shall hold his office for eight years from date of his commission.

Time of election.

SEC. 2. *Be it further enacted,* That the first election for County Judge shall be held at the same place and in the same manner and by the same officers that other county elections are held, on the first Thursday in August, 1892, and every eight years thereafter, and under the same rules and regulations that are prescribed by law for other county elections.

Power of County Court.

SEC. 3. *Be it further enacted,* That all jurisdiction and power of the present County Courts and administrators, executors, guardians, wards, trustees, wills, dowers and petitions for sales or divisions of land be and the same are hereby given to the County Court to be held by the County Judge, and all other questions over which the Chairman of the County Court now has jurisdiction, and all other duties now devolving upon the Chairman of said County Court are hereby transferred to said County Judge.

Compensation.

SEC. 4. *Be it further enacted,* That the County Judge shall receive as compensation $1,000 per year, to be paid quarterly from the county treasury upon the Judge's own warrant, countersigned by the County Court Clerk.

Expiration.

SEC. 5. *Be it further enacted,* That nothing in this Act shall interfere with the holding of the office of Chairman of the County Court of said county by the present incumbent until the expiration of his term on the first Monday in January, 1892.

Governor to appoint.

SEC. 6. *Be it further enacted,* That it shall be made the duty of the Governor to appoint a competent person to hold said office of County Judge of said county from the first Monday in January, 1892, to the first Thursday in August, 1892, or until his sucessor is qualified.

SEC. 7. *Be it further enacted,* That the Judge provided for in this Act be requested to enter into bond with sufficient security as the County Court, at its quarterly term, may require as financial agent of the county.

Passed March 10, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 137.

AN ACT to incorporate the town of Longview in Bedford County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Longview and the inhabitants thereof, in the Ninth Civil District of Bedford County, is hereby incorporated, and as such is entitled to all the benefits and subject to all the responsibilities of the laws of this State applicable to municipal corporations. Incorporation.

SEC. 2. *Be it further enacted,* That the boundaries of said town are as follows: Beginning at a point in the lane between James Clardy and James Butts, the same being the south-east corner of James Butts' land; thence north on the line between the said Butt and Clardy to the land or property belonging to the heirs of J. P. Lytle; thence continuing on the line between the lands of said Clardy and Lytle to the south-west corner of India Christman's place; thence on the line between said Clardy and Christman to the north-west corner of said Christman's place; thence on a line between the said Christman's and J. W. Rucker's place to the place of S. Landers; thence with the line between the places of said Landers and J. W. Ruckers to Shelbyville and Versailes Turnpike; thence north on the line between the Ninth and Tenth Civil Districts of Bedford County to the end of the lane on road north of G. Batts house on the line between Jordan Rucker and J. E. Kinney; thence on the line of said Kinney's place so as to in- Boundaries.

clude the same to the Nancy Jackson place; thence on the line with the said Nancy Jackson's place north to the Midland and Raven road; thence east with said road to the Shelbyville and Versailes Turnpike, north to the Putnam well; thence east with the public road to the J. A. McLain home; thence with the line of said McLain's place to include the same to the W. P. Cheek home place; thence on the line of same so as to include the same to the south-east corner thereof; thence west with the road to the Jones place belonging to said Cheek; thence on the line with the same to the John Seay place; thence continuing south on the line thereof to the Midland and Raven road near the McBride school-house at the end of the lane between Silas Williams and T. J. McLain; south to J. A. McLain's property; thence east on the line between Silas Williams and J. A. McLain to the lane, being the line of said McLain and D. W. Barnes; thence south continuing on the line of said McLain's place to Jerry Culverhouse's place; thence south with Culverhouse's line to the Tarpley Chapel road north of D. H. Winsett's place; thence east with said Winsett's line to J. A. Tarpley's north-east corner (Webb's place); thence south with said Tarpley's line to the south-west corner thereof; thence south with the east boundary thereof to said Tarpley's land (Tyler place) to south-west corner thereof; thence south between said Tarpley and B. F. Withworth to the corner between said Tarpley and J. B. Cooper; thence south on the line between said Cooper and Withworth, S. Landers and said Withworth to the south-east corner of said S. Landers' place; thence west on the line between said Landers and Stephen Sanders and the said Landers and Walter Blankinship to the Shelbyville and Versailes Turnpike; thence with said turnpike to J. E. Batts' place; thence with the line of J. E. Batts to the beginning.

Town Council.

SEC. 3. *Be it further enacted*, That said town shall have perpetual succession, shall have a Town Council composed of a Mayor and Aldermen to be elected every two years by the qualified voters of said town; the Board of Mayor and Aldermen to consist of the Mayor and five Aldermen, to be elected by the qualified voters at large of said town; may sue and be sued, may receive and hold all necessary and real property in said town needful for the use of said town, and may sell and lease the same for the benefit of the town, have and use a common seal.

SEC. 4. *Be it further enacted*, That the Board of Mayor and Aldermen shall have the power to levy and collect taxes for town purposes on all property taxable by law for State and county purposes, to levy and collect taxes on all privileges and polls taxable by law for State purposes, to appropriate money and provide for payment of the debts and expenses of said town; to make and adopt all necessary ordinances to preserve the health, peace and good order of the town, and appoint one or more police; to establish a system of schools and regulate the same; to open and establish the streets; to pass all ordinances not contrary to the Constitution and laws of the State that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of their incorporation. **Taxes.**

SEC. 5. *Be it further enacted*, That the Sheriff of Bedford County shall open and hold an election for the election of Mayor and Aldermen of said town upon giving ten days' notice thereof, when so requested to do by three citizens of said town after this Act takes effect; that all future elections shall be held under the management of the Board of Mayor and Aldermen. **Election.**

SEC. 6. *Be it further enacted*, That the Mayor of said town shall try all offenses against the laws and ordinances of said town, and inflict fine and imprisonment, as may be authorized by the laws and ordinances. **Mayor to try offenses.**

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

W. C DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 138.

AN ACT to authorize the County of Roane to create a bonded indebtedness, not to exceed $150,000, for the purpose of bridging the Clinch and Emory Rivers in said county, and to construct turnpike roads connecting said bridges, and other roads leading to and over said bridges.

Preamble.

WHEREAS, The County of Roane has within its borders portions of the Clinch and Emory Rivers, which are swift, deep running streams, difficult of ferriage, which streams seperate different communities of the county from each other, and greatly interferes with and prevents social and commercial intercourse among the people of said county;

Therefore, for the purpose of affording facilities for social and commercial intercourse between such communities—

May issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County of Roane be and is hereby authorized to create a bonded indebtedness, not exceeding the sum of $150,000, to run not less than five nor more than thirty years, and to bear interest payable annually at a rate not greater than six per cent. per annum.

Bridges and pikes.

SEC. 2. The funds arising from the sale of said bonds shall be used solely for the purpose of building such bridges over and across the Clinch and Emory Rivers in said county, and turnpike roads connecting the same, and such other turnpikes as shall best accommodate the people of the county leading to and from said bridges as the County Court of Roane County may determine.

Duties of County Court.

SEC. 3. Before said bonds shall be issued the County Court of Roane County shall, by order entered of record, determine what bridges and turnpike roads shall be constructed hereunder, and in such order shall designate and determine such bridges and turnpike roads so to be built; the said County Court shall also order a special election in said county for the purpose of determining whether said bonds shall be issued or not. Said election shall, in all respects, as near as may be, be conducted in the manner provided by law for the election of county officers, and thirty days previous notice of the same shall be given by posting at least three notices of said election in each civil district in said county, stating the time and place and purpose for which such election shall be held. At such election each qualified voter may deposit his ballot for the issuing of such bonds. Those favoring the issue of said bonds shall have written or printed on their ballots the words "For Bonds," and those opposing the issue of said bonds shall have written or printed on their ballots "Against Bonds." If a majority of the qualified voters of said county, voting at said election, vote in favor of the issue of said bonds, then said bonds shall be issued by the County Court in the amount for the purpose and upon the terms and conditions named in the order of the County Court making said submission, and said bonds shall be issued in such manner and signed by such officers of the county as the County Court may by order direct.

Election.

For or against.

SEC. 4. The County Courts of Roane are hereby authorized and required to levy upon the taxable property of the county, at the time and in the manner required by law, a sufficient sum to meet the interest as it may be issued hereunder and to create a sinking fund to pay the same at their maturity.

Taxes.

SEC. 5. Whenever there is in the sinking fund sufficient funds to purchase one or more of the bonds issued hereunder, the County Court may buy such bonds at their face value and accrued interest then due; or if such bonds cannot be purchased at that price they may invest the sinking fund in United States bonds or bonds of the State of Tennessee, or of any municipal corporation of this State.

Sinking fund.

SEC. 2. This Act shall be in force and take effect from and after after its passage, the public welfare requiring it.

Passed March 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 139.

AN ACT to amend an Act entitled "An Act to provide for the creation and organization of and defining the powers of municipal corporations, embracing territories of cities having a population of thirty-six tnousand and upward, according to the Federal Census of 1880, whose charters have been abolished," passed by the General Assembly of the State of Tennessee March 21, 1883, and approved by the Governor March 27, 1883, so as to better enable said municipal corporations to collect their taxes.

Lien for taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all cities and municipalities incorporated under Chapter 114 of the Acts of the General Assembly of Tennessee of 1883 are hereby empowered, for the purpose of enforcing their liens on land for past due taxes due and owing said city or municipality, to prepare and file bills in the Circuit or Chancery Court of the county in which the land lies. Not less than twenty-five (25) pieces of property shall be embraced in the same bill, if there be that number reported delinquent in the city, and if there be less than that number then all shall be embraced in the same bill, and the bill shall not be objectionable on account of the number of parties made defendants thereto, nor on account of the amount sought to be collected in each case, and all parties having an interest in the property and all parties necessary to enable the court to enforce the lien and divest title and vest the same in the purchaser may be made parties defendant.

Bills filed.

SEC. 2. *Be it further enacted,* That said bill herein provided for shall be in substance and form the same as other bills filed in the Chancery and Circuit Courts, and shall show by exhibits the name of the party to whom the property is assessed for the year for which taxes are claimed and the amount of taxes claimed. Such exhibits are to be true copies from the books of the City Comptroller or other officers having in charge the collection of city taxes, and shall be *prima facie* evidence of the facts contained in said exhibits, and said exhibits shall be signed by the City Recorder or other officer having in charge the collection of taxes. No defendant shall be entitled to a copy of the bill without applying to the Clerk and paying for such copy, nor shall it be necessary that all the defendants names be included in the copy of the subpœna to be left with said defendant or in publications for non-residents. Said cause shall be at issue as to any defendant when his or her answer is filed or *pro confesso* has been taken against them, and the cause may be proceeded with by or against any one or more of the defendants to final judgment, sale and confirmation without in any way affecting any other party to the suit. Any party to the suit shall have the right to appeal to the Supreme Court or to writ of error, or appeal in the nature of the writ of error, and such appeal shall not affect the proceedings as to other parties.

Right to appea

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 140.

AN ACT to amend an Act passed February 14, 1889, to change the time of holding the Circuit Courts of the Seventh Judicial Circuit, and to amend Section 4, Chapter 20, of the Acts of the Extra Session, passed June 11, 1885, entitled An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice, and fix the time of holding said Circuit, Chancery and other courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 4, chapter 20, of the Acts of the General Assembly of the State of Tennessee, passed at the Extra Session on June 11, 1885, be and the same is hereby amended so as to read as follows, to wit: The Circuit Court shall be held in Cheatham County first Monday in February, third Monday in June, and first Monday in October; Williamson County, second Monday in February, first Monday in May, and first Monday in September; Davidson County, first Monday in March, fourth Monday in May, and second Monday in October.

Terms of court.

Processes returnable. SEC. 3. *Be it further enacted*, That hereafter all bonds shall be taken and processes be made returnable to said courts at the times fixed in this Act for holding the same; and all bonds or recognizances taken at or after the last term of said courts, as held under the existing laws of this State, and all process issued or bonds taken after that time shall be returnable to the first term of said courts to be held in that county under the provisions of this Act.

Laws in conflict repealed. SEC. 3. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby repealed.

SEC. 4. *Be it further enacted*, That this Act take effect on the 4th day of April, 1891, the public welfare requiring it, but any of said courts may continue in session until the call of the docket is completed and the public business finished.

Passed March 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 141.

AN ACT to restrict fishing in Sandy River.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter it shall be unlawful for any person or persons to catch fish in the waters of Sandy River with any net, trap or basket, or place any net, trap or basket in said river.

Unlawful to trap fish.

SEC. 2. *Be it further enacted*, That any person violating the first section of this Act shall be deemed guilty of a misdemeanor, and for each offense shall be fined not less than five nor more than $25.

Misdemeanor.

SEC. 3. *Be it further enacted*, That the fine imposed in second section of this Act, when collected, shall be paid to the County Trustee of the county in which the offense was committed, and shall be used for school purposes.

For schools.

SEC. 4. *Be it further enacted,* That any county along said river shall have jurisdiction over all offenses mentioned in this Act; *provided,* that the offender shall always be tried in the county in which the offense was committed. Jurisdiction.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 142.

AN ACT to change the lines between the counties of Green and Washington so as to transfer the farms of G. M. Gillispie, A. E. Gillispie, Thomas C. Williams, and George T. Harris from Greene to Washington County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Greene and Washington Counties be so changed as to transfer the farms of G. M. Gillispie, A. E. Gillispie, Thomas C. Williams and George T. Harris from Greene to Washington County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 143.

AN ACT to change the line between the counties of Franklin, Marion and Grundy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Franklin, Marion and Grundy be changed to run as follows, to wit:

Beginning at what is known as Drip Spring, south of the railroad on the line between Franklin and Marion, and running east to Fred. Myers' spring, thence northeastward across the railroad to Bazil Summers' chalybeate spring in Grundy County; thence west along the north bluff of the mountain to the line between Franklin and Grundy Counties, north of the railroad.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 144.

AN ACT to regulate and make uniform the mileage of all Sheriffs and other officers conveying prisoners from one county to another, and to repeal Section 4564 of the Code of Tennessee of 1858, and Chapter 61, Acts of 1885, and all other laws so far as they come in conflict with this Act.

Compensation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter all Sheiffs or officers conveying prisoners arrested in this State, on a Magistrate's warrant, capias or other leading process, from one county to another, or for conveying prisoners to Supreme Court, or for conveying prisoners from one county to another for safe-keeping, or for conveying prisoners to the Asylum for the Insane under criminal indictment, shall receive as compensation for their services, and they shall be entitled to no other compensation whatever for said services, 8 cents per mile each way, going and returning, for the trip, regardless of the number of prisoners for each guard, actually and necessarily employed, not exceeding one for each prisoner, 5 cents per mile each way for their services going and returning; for each prisoner 3 cents per mile one way, or the distance actually traveled with the prisoner.

SEC. 2. *Be it further enacted*, That Section 4564 of the Code of Tennessee of 1885, and Chapter 61 of the Acts of 1885, and all other laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it. **Conflicting laws repealed.**

Passed March 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 145.

AN ACT to authorize the county of Jefferson to issue bonds for the purpose of constructing and improving highways, and building bridges in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of Jefferson County, a majority of the Justices voting therefor, are hereby authorized and empowered to issue bonds of the county, payable at such times and places, and in amounts as may seem to them proper, at a rate of interest not to exceed four per centum per annum, the aggregate amount of said bonds not to exceed one hundred thousand dollars, the proceeds of said bonds to be applied to the purpose of constructing public highways and bridges across the **May issue bonds.**

streams of said county under the direction and control of said County Court; *provided*, that the County Court of said county, before issuing said bonds as herein provided, shall first submit the proposition to issue said bonds to a vote of the qualified voters of said county in the manner prescribed by law for holding elections in this State. The voters favoring the issuance of the bonds shall have written or printed on their tickets the words, "For the Bonds," and the voters opposed to issuing the bonds shall have written or printed on their tickets the words, "Against the Bonds." If a majority of the qualified voters voting in said election are in favor of issuing the bonds, the said County Court shall proceed in the manner herein set forth.

Ballots.

SEC. 2. *Be it further enacted*, That said bonds, before issued, shall be signed by the Chairman of the County Court and countersigned by the County Court Clerk, with his official seal affixed thereto.

Bonds signed.

SEC. 3. *Be it further enacted*, That said bonds shall be issued in sums of $500 each, bearing interest from date, as hereinbefore stipulated, and shall have attached coupons showing amount of each annual installment on said bond and when the same shall fall due; said coupons shall be signed in the same manner as the bonds but without the official seal being attached, and when due shall be receivable for taxes due the county and levied under the provisions of this Act, and when paid off by the Revenue Collector, they shall be canceled by him by perforation, and by stamping or writing on their face the date of payment, and shall be valid vouchers in his hands on settlement with the county.

Bonds, interest and coupons.

SEC. 4. *Be it further enacted*, That the name of the party to whom each bond is issued or sold, with the number and date of the bond, shall be entered by the County Court Clerk in a well bound book to be kept by him for the purpose and, as the said bonds are taken up and canceled, the amount paid and date of the coupons shall be entered in the same book under its corresponding bond.

Bonds cancelled.

SEC. 5. *Be it further enacted*, That in order to meet the annual payments as they fall due the County Court shall, at the time it levies taxes for other purposes in each year, levy a special tax on all taxable property and privileges in the county sufficient to pay each annual installment of the principal and interest that may fall due, and to be collected as other taxes, and the same, when collected, shall be set apart for the payment of such installment and the interest on the bonds then due, and for no other purpose.

Compensation.

SEC. 6. *Be it further enacted,* That the Chairman and County Court Clerk of said county shall have such compensation for their services under this Act as the County Court shall allow.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 146.

AN ACT to establish and maintain a uniform system of public schools, passed March 6, 1873, and approved March 15, 1873.

Public Shools.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 11 of "An Act to establish and maintain a uniform system of public schools," passed March 6, 1873, and approved March 15, 1873, be and the same is hereby amended so as to read, "That any person shall be eligible to the office of Director who is qualified by being able to read intelligently and write legibly, to perform the duties required, and who is a resident of the district; if he shall cease to be a resident thereof his office shall be deemed vacant."

Amendment.

SEC. 2. *Be it further enacted,* That section 17 of said Act be and the same is hereby amended so as to read: "When a vacancy occurs among the Directors in any district during their term of office, the County Superintendent shall fill the same by appointment, upon being notified of such vacancy by the remaining Directors.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 147.

AN ACT to incorporate the town of Allentown.

Powers of corporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the inhabitants of the town of Allentown, in the County of Carter, are hereby constituted a corporation and body politic by the manner and style of the Mayor and Aldermen of the town of Allentown, and by the same may sue and be sued, plead and be impleaded in all the courts of law and equity, and in all actions whatsoever, may purchase, receive and hold property, real and personal, within said town, and may sell, lease or dispose of the same for the benefit of said town, and may purchase, receive and hold property, real and personal, beyond the limits of said town to be used for the burial of the dead, for the erection of water-works, for the establishment of a hospital, poor-house, work-house, or house of correction, and may sell, lease or dispose of said property for the benefit of said town, and do all other acts touching the same as natural persons, and shall have a common seal and change it pleasure.

Boundaries.

SEC. 2. *Be it further enacted,* That the boundary of the town shall be as follows: All lying within a radius of one mile from a point in the center of Main Street and Second Avenue, at their intersection.

Additional powers.

SEC. 3. *Be it further enacted,* That the following additional powers are granted to said corporation:

1. To enact such by-laws and ordinances as may be proper to preserve the health, quiet and good order of the town.

2. To prevent or remove nuisances.

3. To establish night-watches and patrols, and to employ all necessary police officers to preserve the peace and enforce the ordinances of said town.

4. To punish breaches of good order committed within its jurisdiction, to ascertain and declare, when necessary, the boundaries and alleys.

5. To grant privileges, the use and employment of the the same.

6. To provide for paving streets and alleys and building sidewalks.

7. To sell and dispose of same, if deemed expedient.

8. To provide for licensing and regulating auctions, theatrical and other shows and exhibitions.

9. To restrain and prohibit gambling.

10. To prohibit indecent exhibitions within the limits.

11. To establish and regulate markets and inspectors.

12. To provide for organization and regulation of fire companies, and the sweeping of chimneys.

13. To establish a system of sewerage.

14. To dig wells and erect cisterns, and otherwise to make arrangements and contracts for supplying the town and inhabitants thereof with water, and to regulate gas and electric light companies.

15. To impose and collect fines and penalties for breaches of its ordinances.

16. To levy and collect taxes on all property and privileges within its limits which are or shall be taxable by the laws of the State.

17. To pass by-laws and ordinances necessary and proper to enforce the powers granted, and not inconsistent with the Constitution and laws of the United States and the State of Tennessee.

Aldermen chosen.

SEC. 4. *Be it further enacted*, That within thirty days after the going into effect of this Act a board, to consist of five Aldermen, shall be chosen by the qualified voters of said town, the term of office of said Aldermen to be one year. No person shall be an Alderman unless he be a citizen of the State of Tennessee and a *bona fide* resident and freeholder of said town. Any Alderman, after his election, removing from or ceasing to be such freeholder, shall thereby vacate his office. Each Alderman shall, before entering upon his office, take an oath that he will faithfully demean himself in office. All vacancies in the Board of Aldermen shall be filled by the votes of a majority of the remaining members.

Vacancies.

SEC. 5. *Be it further enacted*, That the Mayor of said town, which is hereby provided for by this Act, shall be elected by the votes of a majority of the Board of Aldermen, and his term of office shall be one year. No person shall be elected Mayor who is not at the time of his election a citizen of the State of Tennessee and a *bona fide* resident and freeholder of said town. A vacancy in the office of Mayor shall be filled in like manner by the Aldermen. The first Mayor elected under the provisions of this Act shall be selected from one of the members of the first Board of Aldermen. The Mayor may fill all vacancies occurring in any office, except that of Aldermen, until the same be filled as otherwise provided by law. It shall be the duty of the Mayor to preside at all meetings of the Aldermen; to take care that all ordinances of the town are enforced, respected and observed within the town; to take an oath of office before he enters upon the discharge of his duties, and to call special sessions of the board.

Qualification and powers of Mayor.

Powers of Board.

SEC. 6. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power, by ordinance, in addition to powers hereinbefore conferred—

1. To appropriate money and provide for the payment of all debts and expenses of the town.
2. To establish a system of free and other schools, and regulate the same.
3. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean and repair streets, alleys and sidewalks, and to have the same done.
4. To erect, establish and keep in repair bridges, culverts, sewers and gutters.
5. To provide for inclosing, improving and regulating all public grounds belonging to the town, in or out of the corporate limits.

Mayor to be City Judge.

SEC. 7. *Be it further enacted*, That the Mayor of said town shall be *ex officio* City Judge or Recorder, with the jurisdiction to hear and determine all violations of the ordinances of the Board of Mayor and Aldermen; he also shall have the power to appoint a Town Marshal and such other police officers and other servants and employes of the town as may be provided for from time to time by the Board of Mayor and Aldermen, and at such salaries as may be fixed by such board.

Election and Electors.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Sheriff of Carter County to open and hold at the time, as provided in the fourth section of this Act at some convenient point within the limits of said town, after having given ten days' previous written notice by advertisement posted in at least three places in the territory mentioned for the purpose of electing the first Aldermen, heretofore provided, at said election, and at all elections hereafter held by said town, all *bona fide* male citizens above the age of twenty-one years, and all male non-resident freeholders above the age of twenty-one years within the boundaries of said town shall be qualified voters. The five persons receiving the highest number of votes shall be declared elected.

SEC. 9. *Be it further enacted*, That the Board of Mayor and Aldermen of said town shall have the power to lay off said town into wards, and the first division thereof shall be five, but thereafter said board may lay off new wards at any time, and adjust and change existing ones, always giving at least twenty (20) days' notice of such change; and after the election of the Aldermen, as provided in the sixth section of this Act, the said town shall be entitled to one Alderman from each ward into which said town may be from time to time divided.

Wards.

SEC. 10. *Be it further enacted*, That after the first election provided for by this Act, the Mayor of said town shall be elected by the qualified voters of said town.

SEC. 11. *Be it further enacted*, That in so far as the same does not conflict with the Constitution and laws of the United States and State of Tennessee, the said Board of Mayor and Aldermen may, by ordinance, extend inducements, favors and corporate exemptions to manufacturing and industrial plants, locating within the corporate limits; and further, in the sound discretion of said board, to use any means of like import to induce and promote industries and accumulation of wealth and population.

To encourage industries.

SEC. 12. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 148.

AN ACT relating to pedigreed Live Stock, and to protect the public against fraudulent pedigrees.

Pedigrees to be recorded.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the pedigree of any stallion, jack or bull, claimed to be pedigreed live stock and used for public breeding, shall be filed and registered with the County Court Clerk, under oath, that the same is genuine, and that the Clerk of the County Court record said pedigree in a well-bound book to be kept in his office for that purpose, and that he be allowed the sum of fifty (50) cents as fee for filing, recording and making three (3) certified copies of said pedigree aforesaid.

Pedigrees to be posted.

SEC. 2. *Be it further enacted,* That the owner of such pedigreed stock shall, during breeding seasons, have posted conspicuously in three (3) different places in the county in which he lives, or in which the animal is being used for breeding purposes, a certified copy of said pedigree recorded as provided in Section 1 of this Act.

Penalty.

SEC. 3. *Be it further enacted,* That any person, firm, company, or association who shall knowingly record or post any false or fraudulent pedigree shall be deemed to be guilty of a misdemeanor, and on conviction thereof may be fined not less than twenty-five nor more than one hundred dollars.

SEC. 4. *Be it further enacted,* That this Act take effect ninety days after its passage.

Passed March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 149.

AN ACT to create and regulate the office of County Judge for Wayne County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Wayne County a person learned in the law, to be styled a "County Judge" of Wayne County, and who shall be the County Judge of said county, who shall be thirty years old, and who shall hold his office a term of eight years from the date of his commission; said person to be a citizen of Wayne County, and a person of good moral character. **County Judge**

SEC. 2. *Be it further enacted,* That the first election for County Judge of Wayne County shall be held at the same place and same time and by the same officers that other county elections are held, on the first Thursday in August, 1892, and under the same rules and regulations that are prescribed by law for other county elections, and subsequent elections (except vacancies, which shall be filled when they occur in the manner prescribed by law) on the first Thursday in August every eight years thereafter. **Election.**

SEC. 3. *Be it further enacted,* That the County Judge of Wayne County shall have and exercise all the rights, powers, and jurisdiction that are conferred by existing laws upon the County Judges of this State, and shall comply with all the requirements of and perform all the duties imposed by law, creating and regulating the powers and duties of County Judges. **Powers.**

SEC. 4. *Be it further enacted,* That all the powers and jurisdiction now vested in and belonging to the Chairman of the County Courts of this State be and the same are hereby conferred upon the County Judge of Wayne County, who is hereafter to be elected by the qualified voters of Wayne County, and the office of Chairman of Wayne County Court is hereby abolished from and after the first Monday in May, 1891.

SEC. 5. *Be it further enacted,* That the County Judge of Wayne County shall receive a salary of three hundred dollars ($300) per annum, to be paid quarterly out of the revenue collected for the years which the services are rendered. **Salary**

SEC. 6. *Be it further enacted,* That the present Chair-

Governor to appoint.

man of the County Court of Wayne County continue to hold the County Court of said county until the first Monday in May, 1891, during which time it shall be the duty of the Governor to appoint a judge under this Act, and duly commission him to fill out the time from the first Monday in May, 1891, until the regular election in August, 1892.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 150.

AN ACT to establish the line between the Counties of Wayne and Perry.

WHEREAS, there are grave doubts as to the location of the line between the Counties of Wayne and Perry, creating trouble and inconvenience between the citizens of the two counties; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County Courts of said counties shall be empowered to elect three competent men from their respective counties for the purpose of having a joint survey looking to the settlement of the question.

SEC. 2. *Be it further enacted,* That Wayne County shall pay the three men selected by her, and that Perry County shall pay the three men selected by her.

SEC. 3. *Be it further enacted,* That the joint Commission so appointed by said County Courts of above mentioned counties shall begin their survey at the established corner of Wayne and Lewis Counties and run in a westerly direction as far as is necessary to establish the disputed line.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 151.

AN ACT to change the line between the counties of Hardin and Chester.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the county of Hardin and the county of Chester be and the same is so changed as to include all the lands of J. P. Bradley in the county of Chester.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 152.

AN ACT to establish a special court at New Market, Jefferson County, Tennessee.

Law Court of New Market.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be held at New Market a Common Law Court for the Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Thirteenth, and Fifteenth Civil Districts, and also for all that part of the Fourth District lying north of Bays Mountain, of Jefferson County in this State, to be called the Law Court of New Market, and to constitute one of the courts of the Second Judicial Circuit, and to be held by the Judge thereof, with common law jurisdiction, original and appellate, on all causes arising at law within said civil districts of a civil, commercial or criminal nature, and that the Attorney-general of said Second Judicial Circuit shall attend said court and transact the business appertaining to his office thereat.

Jurisdiction.

SEC. 2. *Be it further enacted,* That the Law Court of New Market shall have general common law court jurisdiction, original and appellate, in all causes at law of a civil or criminal character arising in the civil districts named in the first section of this Act, and that no resident of said districts shall be sued in the Circuit Court of Jefferson County, Tenn., nor to be presented or indicted therein unless the offense was committed in the county outside of the districts named in the first section of this Act. When the court hereby established has the jurisdiction of the cause of action, counterparts of writs may issue from said court for joint defendants not of said districts.

Powers.

SEC. 3. *Be it further enacted,* That the Law Court of New Market shall have all the powers within the local jurisdiction that belong by law to the Circuit Courts of this State.

Grand Jury.

SEC. 4. *Be it further enacted,* That the Judge of said court shall, at each term thereof, order the empanelling of a grand jury which shall have the same powers within the limits of said civil districts, and be governed by the same laws as other grand juries are.

SEC. 5. *Be it further enacted,* That the County Court of Jefferson County, Tennessee, shall designate and cause to be summoned by the Sheriff, or his deputy, a sufficient number of the resident citizens of the civil districts named in the first section of this Act to serve as jurors in said court; *provided*, that the jurors for the first term of said court to be holden on the first Monday after the second Monday in May next shall be designated by said County Court at its April term, 1891. Jurors.

SEC. 6. *Be it further enacted*, That the Clerk of the Circuit Court at Dandridge shall, upon the application of either party, in person or by attorney, transfer any cases now pending in the Circuit Court of Jefferson County to the Law Court of New Market, when the defendant is a resident within the local jurisdiction of the court established by this Act. Transfer o cases.

SEC. 7. *Be it further enacted*, That the Sheriff of Jefferson County shall appoint one or more of the citizens of said county of Jefferson as deputies, who shall qualify as other deputies, and shall reside within the local jurisdiction of the Law Court of New Market. Sheriff.

SEC. 8. *Be it further enacted*, That the Clerk of the Circuit Court of Jefferson County shall be the clerk of said Court, and shall keep an office, by himself or deputy, at New Market, which shall be open all the time for the transaction of business. Clerk.

SEC. 9. *Be it further enacted*, That the expense of holding the Law Court of New Market shall be paid out of the Treasury of Jefferson County under the rules and restrictions as provided by law for the payment of expenses of the Circuit Court of said county of Jefferson. Expense.

SEC. 10 *Be it further enacted*, That the Law Court of New Market shall be held on the first Monday after the second Mondays of May, September, and January of each year. Terms.

SEC. 11. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 153.

AN ACT to place Lake County in the Twelfth Judicial Circuit of Tennessee, and to provide for the times and places of holding the courts of said circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Lake County be and is hereby taken out of the Thirteenth Judicial Circuit and is hereby placed in the Twelfth Judicial Circuit of Tennessee.

SEC. 2. *Be it further enacted,* That the Judge of the Twelfth Judicial Circuit shall hold the Chancery Court of Lake County.

SEC. 3. *Be it further enacted,* That the courts of the Twelfth Judicial Circuit shall be held at the following times and places: The Circuit Courts of Obion County shall be held at the county seat on the first Mondays of January, May and September. The Circuit Courts of Henry County shall be held at Paris on the fourth Mondays of January, May and September. The Circuit Courts of Weakley County shall be held at Dresden on the third Mondays of February, June and October. The Circuit Courts of Lake County shall be held at Tiptonville on the second Mondays of March, July and November.

SEC. 4. *Be it further enacted,* That the Chancery Court of Lake County shall be held on Wednesday after the second Mondays of March, July and November.

SEC. 5. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and they are hereby repealed, and that this Act take effect on and after the fifteenth day of July, 1891.

Passed March 17, 1891.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 154.

AN ACT to change the line between the counties of Grainger and Hancock.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Grainger and Hancock be so changed as to include all the lands of J. D. Greene and William T. Greene, east of Henry Lee's line, in Hancock County, detaching the same from Grainger County and attaching the same to Hancock County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 155.

AN ACT to amend an Act of the Extra Session of 1885, passed on June 11, 1885, and approved on June 12, 1885, Chapter 20, to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and other inferior Courts, and fix the time of holding the terms of said courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of said Act passed June 11, 1885, and approved June 12, 1885, as constitutes Davidson and Rutherford Counties a special Criminal Circuit (for the trial of criminal cases only) be so amended that Davidson County shall hereafter constitute a special criminal circuit for the trial of criminal cases as aforesaid, and that the criminal business of Rutherford County shall hereafter be tried in the Circuit Court of said county under the same rules and regulations as provided for the trial of criminal cases by the Circuit Courts.

SEC. 2. *Be it further enacted,* That this Act take effect on and after the first day of June, 1891, and that all bonds and recognizances taken on and after the first Monday in April, 1891, shall be taken to appear at the next term of the Circuit Court of Rutherford County, to be held hereafter, on such day as the Circuit Judge may designate as State's day. So much of this Act as directs the taking of bail shall take effect from and after the first day of April, 1891.

Passed March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 156.

AN ACT to change the time for holding the Circuit Court of Coffee and Warren Counties, and to amend Section 1, Chapter 8, passed by the General Assembly on 16th of February, 1887, relating to the time of holding the Circuit Court in Coffee County, also to amend Section 2, Chapter 214, passed by the General Assembly on the 3d of April, 1889, relating to the holding of the Circuit Court in Warren County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1, Chapter 8, passed on the 16th of February, 1887, and approved on the 23d of February, 1887, be so amended that the Circuit Court of Coffee County be held on Tuesday after the first Monday in January, May and September.

SEC. 2. *Be it further enacted,* That Section 2, Chapter 214, passed by the General Assembly on the 3d of April, 1889, and approved on the 4th of April, 1889, be so amended that the Circuit Court for Warren County be held on Thursday after the second Monday in January and May, and the third Monday in September.

SEC. 3. *Be it further enacted,* That all Acts and parts of Acts of the General Assembly of the State of Tennessee in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after the first day of June, 1891.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 157.

AN ACT to create a Bureau of Labor Statistics, and to provide for the Inspection of Mines.

Bureau of Labor and Commissioner.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be established a department to be styled "The Bureau of Labor and Mining Statistics." It shall be under the control of one officer, who shall be known as the Commissioner of the Bureau of Labor, Statistics and Mines. He shall be appointed by the Governor with the advice and consent of the Senate, and shall hold his office for the term of two years, or until his successor is appointed and qualified. He shall have his office at the Capitol, and shall receive a salary of eighteen hundred dollars per year, and he shall be allowed one clerk at a salary of twelve hundred dollars per year.

Duties of Commissioner.

SEC 2. *Be it further enacted,* That the duties of the Commissioner shall be to collect, assort, arrange and present, in annual report, to the Governor and for general distribution to those who may apply, and to the General Assembly when in session, statistics and details relating to all departments of Labor and Mines in the State—especially in relation to the commercial, industrial, social, educational and sanitary condition of the laboring classes, and to the permanent prosperity of the productive industries of the State, together with all the expenditures of his office, and the purposes for which said expenditures were incurred.

Oath and bond.

SEC. 3. *Be it further enacted,* That said Commissioner, before entering upon the duties of his office, shall take an oath or affirmation to discharge the same faithfully and impartially without favor or preference, which oath or affirmation shall be endorsed upon his commission, and said commission shall be forthwith recorded in the office of the Secretary of State; the Commissioner shall also give a bond in the sum of fifteen thousand dollars, to be approved by the Governor, for the faithful performance of his duty while in office, and the surrender of all books, papers, records and correspondence and property pertaining to his office to his successor, said bond to be recorded and placed on file in the office of the Secretary of State.

Mines and factories.

SEC. 4. *Be it further enacted,* That the said Commissioner shall give his whole time to the duties of his office, and shall inspect all mines and collieries that are being worked once every three months, and it shall be lawful for him to enter and inspect and examine any mine in this State, and the works and machinery either inside or out of any mines, collieries, mills or factories where human life is to be protected, and to see that the provisions of this Act are enforced and obeyed at all times, either by night or by day, where it is reasonably within the power of human skill to do so. The owners or agents of said mines, collieries, mills or factories are hereby required to furnish the means necessary to facilitate such entry and inspections, and the Commissioner shall make a record of said inspection, with all the material facts connected with the case.

SEC. 5. *Be it further enacted,* That the Commissioner shall have power to send for persons and papers, and to examine witnesses under oath, and such witnesses shall be summoned in the manner and paid the same fees as witnesses before a Justice of the Peace.

Investigation of accidents.

SEC. 6. *Be it further enacted,* That it shall be the duty of the person or persons having charge of any mine, colliery, mill or factory, where any loss of life shall occur by accident connected with the working of such mine, colliery, mill or factory, either by explosion or any other accident whereby any serious accident should occur to any employe working in or about said mines, mills or factories, such person or persons shall forthwith give notice to the Commissioner; and should death result from such accident, the person or persons in charge, having charge of the said works, shall at once notify the coroner of the county wherein the loss of life occurred, and the coroner shall hold an inquest upon the body or bodies whose death has been caused thereby, and inquire into the cause thereof, and return a copy of the verdict to the Commissioner, with all the testimony in the case; and upon receipt of these facts from the coroner the Commissioner shall, without delay, investigate the matter and take such steps to prevent a recurrence of the accident as provided for by the provisions of this Act, and that any person or persons having charge of any mines, colliery, mill or factory where any accident occurs causing the loss of human life, failing to give notice as herein prescribed, upon conviction of the same, shall be subjected to a fine of not less than two hundred dollars nor more than five hundred dollars, subject to the discretion of the court trying the case, and all costs accruing thereon.

SEC. 7. *Be it further enacted,* That the expenses of this department shall in no case exceed $4,000 per annum.

SEC. 8. *Be it further enacted,* That the office of Inspector of Mines is hereby consolidated with the office herein created and the duties, etc., of such Mine Inspector, in addition to those above set out, shall be the same as in Chapter 247 of Acts of 1887, creating the office of Mine Inspector. The purpose of this Act is to consolidate the above office with that of Mine Inspector, and to repeal only so much of said Chapter 247 of Acts of 1887 as conflicts with the provisions of this Act, and so much of said Chapter 247 of said Acts of 1887 as does not conflict herewith is hereby re-enacted.

SEC. 9. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 21, 1891.

W. C. DISMUKES,
Speaker of the Senate.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 158.

AN ACT to allow Turnpike Companies in this State, which commenced to build their roads previous to May 1, 1861, and which roads are unfinished, to complete the same within two years.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all Turnpike Companies in this State, which commenced to build their roads previous to May 1, 1861, and which have failed to complete the building of the full length of their roads, be and the same are hereby authorized and allowed to complete said roads the full length then permitted or allowed by law within two years from the passage of this Act; *provided,* that no additional gate to which said company shall be entitled when their road is completed shall be located between any two gates already established.

SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be repealed.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 159.

AN ACT to amend an Act entitled "An Act to provide for the creation and organization and defining the powers of municipal corporations embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, whose charters have been abolished," passed by the General Assembly of the State of Tennessee March 21, 1883, and approved by the Governor March 27, 1883, so as to provide for the eligibility of persons residing in territory recently annexed to said municipal corporation to the office of Mayor and Councilmen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 3 of an Act of the General Assembly of the State of Tennessee, entitled "An Act to provide for the creation and organization, and defining the powers of municipal corporations embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, whose charters have been abolished, passed March 21, 1883, and approved by the Governor March 27, 1883, be and is hereby amended by adding to said Section 3 the following: Provided, that all persons resident of any territory that has been annexed to said municipal corporation, otherwise qualified, shall be eligible to the office of Mayor or Councilman of said corporation, who are at the time of their election residents of the territory so annexed, and have been residents thereof for a period of not less than two years prior to the date of such election."

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passege the public welfare requiring it.

Passed March 21, 1891.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 160.

AN ACT to amend Section 7 of Chapter 142 of the Acts of 1875, entitled An Act to provide for the organization of corporations, the same being section 1944 of Milliken and Vertrees' compilation of the Statutes of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in the thirteenth line of section 1944, page 342, of the Code of Tennessee, as compiled by Milliken and Vertrees, 1884, the word "is" shall be stricken out, and the words "shall not be" shall be inserted in its place.

SEC. 2. *Be it further enacted,* That said section 1944 shall be further amended by providing that if the directors, superintendents, gate-keepers or any other person shall collect or attempt to collect more than the fees as laid down in said section, for the round trip, which means the payment of tolls for one way, he or they shall be guilty of a misdemeanor, and shall be fined not less than ten ($10) dollars nor more than twenty ($20) dollars.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 161.

AN ACT to repeal an Act entitled An Act to regulate elections in this State for electors for President and Vice-president of the United States, members of Congress, and Governor and members of the General Assembly, passed April 6, 1889, and being Chapter 218 of the Acts of 1889, and all Acts amendatory thereof.

WHEREAS, the necessity for separate ballot boxes in elections of electors for President and Vice-president and members of Congress, Governor and members of the General Assembly no longer exists; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed April 6, 1889, Chapter 218, and all Acts amendatory thereof entitled as above stated, or providing for the furnishing of two ballot boxes for each voting precinct in each county, and two sets of judges, clerks and other persons holding elections in the election of electors for President, Vice-president and members of Congress, Governor and members of the General Assembly, be and the same is hereby repealed.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 162.

AN ACT to amend an Act entitled An Act to prevent the sale, giving or delivering liquors to minors, passed March 25, 1881, and approved April 4, 1881, Chapter 90, page 105 Acts 1881, Section 1.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 90, page 105 of Acts of 1881, Section 1, be so amended as to provide that it shall be unlawful for any person or individual or firm or corporation, whether engaged or not in the manufacture or sale of any spiritous liquors, malt or mixed liquors, their employes, agents or servants or other persons for them knowingly to sell, give, furnish to or procure for any person under the age of 21 years any spiritous, vinous or malt liquors, or any mixture thereof with other liquors or ingredients, without the consent of the parents, guardian or person having the care of such person under the age of 21 years.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 163.

AN ACT for the relief of persons operating steam laundries in cities and towns of less than one thousand inhabitants.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter all persons owning and operating steam laundries in villages and towns of one thousand inhabitants and under that shall not be subject to a privilege tax.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 164.

AN ACT to authorize the city of Murfreesboro to levy a special school tax in aid of the public schools of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Mayor and Aldermen of the city of Murfreesboro be and they are hereby authorized to levy a special tax on all property, both real and personal, not exempt from taxation by the State, of not more than twenty cents on each one hundred dollars' worth of taxable property, and not more than fifty cents on each poll, for school purposes, to be used in aid of the public schools of said city under the direction of the said Board of Mayor and Aldermen. Special tax.

SEC. 2. *Be it further enacted,* That before such levy is made the proposition shall be submitted to the qualified voters of said city at the next general election for said Election.

city on the second Tuesday in November, 1891. If two-thirds of the voters in said election favor the levy it may be made as all other taxes for said city are made.

Special School Commissioners.

SEC. 3. *Be it further enacted*, That the Board of Mayor and Aldermen of said city of Murfreesboro shall elect three property owners from the qualified voters of said city, to be known as "Special School Commissioners," whose terms of office shall be for three years, except on the first election, when said terms shall be for one, two and three years respectively, their successors each being elected for three years, whose duty it shall be to use the special tax hereby provided in aid of and in connection with the public schools of said city of Murfreesboro, said Commissioners to execute bond as required by law for the faithful discharge of this duty, and to be amenable to the said Board of Mayor and Aldermen, who shall have power to suspend any of said Commissioners for proper reasons. The salaries of said Commissioners are to be fixed by the said Board of Mayor and Aldermen.

SEC. 4. *Be it further enacted*, That the said taxes shall be collected and paid into the treasury of said city of Murfreesboro, as all other of said city's revenues are collected and paid in, and shall be paid out on the warrant of said Commissioners, approved by the Mayor, for the purposes only for which the said tax is levied.

SEC. 5. *Be it further enacted*, That the County Trustee of Rutherford County be and he is hereby required to pay over to the said Commissioners hereinbefore provided the *pro rata* of the school fund assessed and collected by the county on the property and polls within the corporate limits of the said city of Murfreesboro, to be used by the said Commissioners as hereinbefore provided.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it, and that all laws in conflict with this Act be and are hereby repealed.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 165.

AN ACT to amend Section 5 of an Act passed June 11, 1885, and approved June 12, 1885, entitled An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts of this State, and to fix the time for holding the terms of said Chancery, Circuit and other courts; and to amend Section 1 of an Act passed March 10, 1891, and approved March 17, 1891, entitled An Act to establish a Chancery and Law Court at Cumberland Gap, in the County of Claiborne.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in order to fix the time for holding the Chancery Courts in the First Chancery Division of Tennessee, section 5 of said first named Act, be amended to read as follows: That the Chancery Courts of the First Chancery Division of Tennessee, composed of the counties of Johnson, Carter, Unicoi, Washington, Sullivan, Hawkins, Hancock, Claiborne, Grainger, Hamblen, Cocke, Green and Jefferson, shall be held at the following times and places:

Washington County—Jonesboro, the first Monday in January and July; Johnson City, the first Monday in June and December.

Greene County—The third Monday in January and July.

Carter County—The first Mondays in February and August.

Sullivan County—Bristol, the second Monday in February and August; Blountville, the fourth Monday in April and October.

Cocke County—The fourth Monday in February and August.

Unicoi County—The third Monday in May and November.

Hamblen County—The third Monday in February and August.

Grainger County—The first Monday in May and November.

Johnson County—The first Monday in April and October.

Claiborne County—At Tazewell, the second Monday in April and October.

Hancock County—The third Monday in April and October.

Jefferson County—The second Monday in May and November.

Hawkins County—The second Monday in June and December.

SEC. 2. *Be it further enacted,* That section 1 of the Act entitled An Act to establish a Chancery and Law Court at Cumberland Gap, in the county of Claiborne, be so amended as to read, that the Third and Fourth Civil Districts of Claiborne County shall constitute a Chancery District, and the court shall be held at the town of "Cumberland Gap," by the Chancellor of the First Chancery Division of the State, on the fourth Monday in May and November.

SEC. 3. *Be it further enacted,* That all Acts in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after the tenth day of April, 1891, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 166.

AN ACT authorizing County Courts of this State to create and establish School Districts in their respective counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the several County Courts of this State be and they are hereby authorized and empowered to lay off and create new School Districts in their respective counties whenever the same shall be necessary, and to change or establish the lines between existing districts whenever the same shall be to the interest of the public schools of the county.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 167.

AN ACT to confer police powers upon watchmen employed in and upon the premises of the State's Hospitals for the Insane.

Whereas, The several hospitals for the insane of the State are isolated from the towns and cities, and are thereby deprived of police vigilance and protection; and,

Whereas, By reason of their location and situation they are subject to perils and annoyances from evil disposed and disorderly persons; and,

Whereas, It is meet and proper that the means of protection shall be furnished them; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That such and as many of the watchmen appointed by the Superintendents of the State's Hospitals for the Insane, not exceeding two for each Hospital, shall be invested with police powers and authority, and have all the powers as a peace officer that are now vested in a constable.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 168.

AN ACT to create a new School District in Wilson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That within the following boundaries is hereby created a new School District for the patrons of the Clover Creek School-house, situated in the Fifteenth Civil District of Wilson County: Beginning in the center of the Statesville and Cainsville turnpike, one quarter of a mile east of James King's residence; running thence west with said turnpike to the line of the Seventeenth District; thence north by west with said district line to William Bennetts farm in the Eighteenth District; thence with the western boundaries of the farm of said William Bennett and B. Patterson and Sam Ricketts to Rocky branch; thence with said branch to William Patterson's farm; thence with the west and south boundary of said farm to Martin Cunningham's; thence with north boundaries of M. Cunningham, B. Cunningham and R. J. Jennings to the Porterfield farm; thence with the western boundary of said Porterfield to his southwest corner; thence with the east boundary line of A. J. Jennings, G. W. Lanear, J. B. Johnson, Mrs. Sallie McCaffrey and Mrs. Wm. Jones to her south-east corner; and thence in a straight line to the beginning at center of said turnpike, including within the boundaries simply the regular patrons of said school-house No. 5, of the Fifteenth District.

SEC. 2. *Be it further enacted,* That the people of said School District shall be entitled to the same rights, privileges and emoluments as those of all other School Districts.

SEC. 3. *Be it further enacted,* That all laws in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 169.

AN ACT increasing the number of State charity patients to be received at the Western Hospital and the Eastern Hospital for the Insane, and to amend Section 3 Chapter 146 of the Acts of 1887, and Section 3 Chapter 118 of the Acts of 1885.

WHEREAS, The buildings of the Western Hospital for the Insane near Bolivar, Tennessee, and the buildings of the Eastern Hospital for the Insane near Knoxville, Tennessee, have capacity to accommodate a larger number of patients than are now admissible by law; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 3 Chapter 146 of the Acts of 1887, organizing the Western Hospital for the Insane, be so amended that the number of State charity patients admissible to that hospital be increased from two hundred and thirty-five to three hundred and fifty. **Western Hospital.**

SEC. 2. *Be it further enacted,* That Section 3 Chapter 118 of the Acts of 1885, organizing the Eastern Hospital for the Insane, be so amended that the number of State charity patients admissible to that hospital be increased from two hundred and thirty-five to two hundred and seventy-five. **Eastern Hospital.**

SEC. 3. *Be it further enacted,* That such increase in the number of State charity patients in the Western Hospital for the Insane shall be receivable from the counties of the Western Hospital for the Insane District as now laid off by the Act of 1887, above recited in preference and State charity patients in any county in the Central Hospital for the Insane District which may have its full quota in the Central Hospital at the ratio now fixed by law, shall also be receivable in the Western Hospital for the Insane until the complement fixed in the first section of this Act is reached. **Distribution of patients.**

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 170.

AN ACT to authorize North Knoxville to build sewers and streets, condemn property and issue bonds for the purposes.

May issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act it shall be lawful for North Knoxville to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed the sum of seventy-five thousand ($75,000) dollars, provided said bonds or their proceeds shall be used exclusively for the purpose of constructing or securing a system of sewerage, and building and repairing streets in said town, or to connect with other territory contiguous thereto.

Denominations, interest and maturity.

SEC. 2. *Be it further enacted,* That all bonds so issued shall be of such denominations, bear such interest, not exceeding six per cent. per annum, and be due at such time, not less than five nor more than thirty years from date, and be payable at such times and places as the Town Council may determine; *provided,* however, that all such bonds shall bear the same interest.

Coupons receivable for taxes.

SEC. 3. *Be it further enacted,* That the coupons on the bonds thus provided for, at maturity, shall be receivable for all taxes and dues to the corporation, except the "Sinking Fund Tax" hereinafter provided, for sinking fund taxes levied for any other purpose and the school tax.

Sinking fund.

SEC. 4. *Be it further enacted,* That as soon as any bonds shall be issued under foregoing provisions, the corporation shall provide by ordinance for a "Sinking Fund" wherewith to retire the bonds by levying a special tax, same to be designated "The Sinking Fund Tax," the tax to run with the bonds and to be collected annually, and used exclusively for the purpose levied, and to be sufficient, with its accumulations, as near as may be estimated, to meet or retire the principal indebtedness by its maturity.

Sinking Fund Commissioners.

SEC. 5. *Be it further enacted,* That said corporation, through its council, before issuing the bonds, shall elect three persons, citizens, as "Sinking Fund Commissioners," who shall be so first elected that one of said Commissioner shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years, so as to keep the number of Commissioners at three at all times.

Provided, that said corporation may, if it so elects, entrust the management of said "Sinking Fund" to its Sinking Fund Commissioners now existing, or provided for under its charter and ordinances passed pursuant thereto.

Oath and bond.

SEC. 6. *Be it further enacted*, That said Commissioners shall take an oath faithfully to discharge their duties, and give bond, under such penalty and conditions, and serve for such compensation as may be provided by ordinance.

Sinking Fund Taxes.

SEC. 7. *Be it further enacted*, That such Commissioners shall receive the Sinking Fund Taxes and invest same, from time to time, in the bonds of the corporation, if any are redeemable, or other securities, to be approved by council, until bonds become redeemable, and settle their accounts as may be required by ordinance; *provided*, however, that when any bond is purchased or redeemed it shall be cancelled or destroyed in the presence of council, and record to be kept of same.

SEC. 8. *Be it further enacted*, That the said bonds shall not be issued unless so authorized by a majority of the vote cast by qualified voters voting at an election to be held by the order of the Town Council at any time and as many times as the Mayor and Aldermen may deem necessary.

Appropriation of grounds.

SEC. 9. *Be it further enacted*, That for the purpose of using the same for the construction and maintenance of sewers, and construction or repairing streets or any essential part of a sewerage system, North Knoxville shall have power to take and appropriate grounds in the following manner:

1. When the owner of any land through or over which said system of sewerage is to be extended, or which may be necessary for streets, requires damages for the same, the Town Council shall appoint freeholders, not exceeding seven in number who, after first being sworn, shall examine the premises and assess the damages and report the same to the Town Council, together with a description of the plat or ground sought to be appropriated, and said Town Council shall cause said report and said description of the plat of ground to be spread upon the minutes of the Recorder.

2. On payment of said damages into the office of the Recorder for the benefit of the owner of the land, the Town Council, after allowing five days' time in which property owner may appeal to Circuit Court of Knox County, if dissatisfied, may order the property con-

demned and appropriated for the purpose named, and order work to proceed. Any person aggrieved by such order may appeal to the next term of Circuit Court for Knox County.

Sewerage Commission.

SEC. 10. *Be it further enacted*, That said corporation, before issuing bonds, through its council shall by ordinance provide for the creation and selection of a commission, to be called "The Sewerage Commission," to be composed of not more than five nor less than three persons, citizens of the corporation, one of whom shall be Mayor, who shall be *ex officio* Chairman, whose duties shall be as hereinafter provided.

Oath.

SEC. 11. *Be it further enacted*, That said Commission shall take an oath faithfully to discharge their duties, and give bond under such penalty and conditions and serve for such compensation as may be provided by ordinance.

Plans and estimates.

SEC. 12. *Be it further enacted*, That such Commissioners shall prepare and submit to the Town Council a plan or system of sewerage, and also for building and repairing streets (if determined upon), with estimates of costs, etc., subject to the adoption, modification or rejection of the Town Council.

Duties of Commissioners.

SEC. 13. *Be it further enacted*, That when said Town Council shall have adopted a system of sewerage or determined upon building or repairing streets, said Commissioners shall receive the proceeds of said bonds and have the supervision and control of the construction and building of said sewers and such streets, and settle their accounts from time to time as may be required by ordinance; *provided, however*, that changes m y be made in said plan of sewers and streets as said Commissioners may deem to the best interest of the corporation when such changes are approved by the Town Council; *and, provided, further*, that said Commissioners, or either of them, may be removed from office by a two-thirds vote of Council for malfeasance, misfeasance, nonfeasance or other misconduct or breach of duty.

SEC. 14. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.
THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 171.

AN ACT to create and regulate the office of County Judge in the County of Claiborne.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Claiborne County a person, learned in the law, to be styled the County Judge, who shall hold his office for the term of eight years from the date of his commission. **County Judge.**

SEC. 2. *Be it further enacted,* That the first election for County Judge shall be held at the same places and by the same officers that other county elections are held, on the first Thursday of August, 1892, and under the same rules and regulations that are prescribed for other county elections, and all subsequent elections (except for vacancies, which shall be held whenever they occur, upon giving twenty days notice) shall be held on the first Thursday in August every eight years thereafter. **Election.**

SEC. 3. *Be it further enacted,* That the County Judge for said Claiborne County shall be commissioned in the same manner as other Judges of the State, and before entering upon the duties of said office, he shall take an oath to support the Constitution of the United States and of the State of Tennessee, and on oath faithfully to discharge the duties of said office, and shall enter into bond in the penalty of twenty thousand dollars, conditioned faithfully to account for all moneys and county property that comes to his hands as such County Judge. **Commission and oath.**

SEC. 4. *Be it further enacted,* That the Quorum Court of said county is hereby abolished, and the Judge shall have and exercise all the jurisdiction and powers now belonging to said Quorum Court. He shall preside over the quarterly sessions of the County Court whether in session or not. **Quorum Court abolished.**

SEC. 5. *Be it further enacted,* That the County Court to be held by the County Judge shall hold its regular sessions the first Monday of each month; *provided,* that the Monday of the quarterly session all business requiring the presence of all or any of the Justices of the county shall be the first disposed of, after which the County Judge shall dispose of such other business before **County Court sessions.**

the court as by the provisions of this Act is directed to be attended to by him; and said judge shall keep his court open for the transaction of business from day to day during each and every month, and shall have power to keep order by imposing such fines as will effect that purpose.

Jurisdiction.

SEC. 6. *Be it further enacted,* That all the jurisdiction and power of the present County Court over administrators, executors, guardians, wards, trustees, wills, dower and partition, sale or division of lands, and all testamentary and administration matters, or subjects connected therewith and questions of lunacy are abolished, and the same are hereby transferred and given to the County Court to be held by the County Judge, who shall have all jurisdiction, power and authority now exercised and possessed by the County Court over all questions and all other jurisdiction, power and authority over all these subjects which may be necessary and proper in the exercise thereof; *provided*, that either party may have the right of appeal from any judgment, order, decree or action of said County Judge as is now allowed by the laws of this State in other cases.

Clerk.

SEC. 7. *Be it further enacted,* That the County Court Clerk shall be and continue the Clerk of the County Court to be held by the County Judge, and shall have all the powers, jurisdictions and authority now possessed by him.

Powers and duties of County Judge.

SEC. 8. *Be it further enacted,* That the County Judge shall be the accounting officer and general agent of the county, and as such shall have the power, and it shall be his duty—

1. To have the care and the custody of all the county property, except such as is by law placed in the custody of other officers.

2. To control all books, papers and instruments pertaining to his office.

3. To audit all claims for money against the county.

4. To draw all warrants upon the county treasury.

5. To audit and settle the accounts of the County Trustee, and those of any other collector or receiver of the County Revenue taxes or income payable in the county treasury, and those of any other person intrusted to receive or expend any money of the county, and require said officers or persons to render and settle their accounts as directed by law or the authority under which they may act.

6. To enter in a book to be known as the Warrant Book, in the order of issuance, the number, date, amount and name of the drawer of each warrant drawn upon the treasury.

7. To keep in a suitable book an account of the receipt and expenditures of the county in such a manner as to show clearly the assets of the county, and the debts payable to and by it, balancing said accounts annually, and generally to superintend the financial concerns of the county.

8. No money shall be drawn out of the county treasury except upon a warrant issued by the County Judge.

9. The duties directed to be performed by the Clerk of the County Court in the administration of insolvent estates shall be as heretofore.

Salary.

SEC. 9. *Be it further enacted,* That the County Judge shall receive six hundred dollars annually as compensation for his service, and the several Quarterly Courts are hereby authorized to make additional compensation to the judge by appropriation for that purpose to such amount as such Quarterly Court may deem right, and said judge shall be paid his compensation quarterly out of the county treasury upon the judge's own warrant.

Clerk to keep docket.

SEC. 10. *Be it further enacted,* That it shall be the duty of the Clerk of said County Court to keep a docket of all the cases to be tried in said court as are now kept by the Clerk of the Circuit Court.

SEC. 11. *Be it further enacted,* That it shall be the duty of said clerk to enter upon said docket all suits, motions and actions that may come before said court for trial, and all suits, motions and actions shall be tried in order as they appear on said docket.

SEC. 12. *Be it further enacted,* That said County Judge shall not be precluded from practicing in the Supreme, Chancery, Circuit and Criminal Courts in this State, but shall not be permitted to act as counsel in any case going from his own court.

Disability of Judge.

SEC. 13. *Be it further enacted,* That whenever it shall so happen, from sickness or other causes, that the County Judge is unable to attend his court, then the Governor shall appoint some suitable person to hold the court until the disability is removed.

SEC. 14. *Be it further enacted,* That the Governor shall appoint a suitable person as judge to hold said court until his successor shall have been elected by the qualified voters of said Claiborne County at the regular election to be held on the first Thursday in August, 1892, as provided for in Sections 1 and 2 of this Act.

SEC. 15. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 172.

AN ACT to change the time of holding the Circuit Court in Marshall County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the time of holding the Circuit Court in Marshall County be changed from Tuesdays after the second Mondays in March, July, and November to Tuesdays after the Third Mondays in March, July, and November. This Act to take effect from and after the next term of Marshall County Circuit Court, and that all bonds and recognizances be taken to conform to the provisions of this Act.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 173.

AN ACT to authorize the town of Cleveland to issue bonds for the purpose of constructing water-works in said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Cleveland, Tennessee, be and they are hereby authorized and empowered, in their corporate capacity, to issue interest-bearing bonds of said town, signed by the Mayor and countersigned by the Recorder of said town, to an amount not to exceed fifty thousand dollars, the proceeds of which shall be used and expended in the construction of water-works for said town under the control and direction of said Mayor and Aldermen; *provided,* that said bonds shall not be issued until an election is held in said town to determine whether the legal voters of said town favor the issuance of said bonds. May issue bonds.

SEC. 2. *Be it further enacted,* That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold the same, and that said election shall be held under such regulations and restrictions and in such manner as said Mayor and Aldermen shall, by ordinance, establish. Election.

SEC. 3. *Be it further enacted,* That all persons living within the limits of said town, and who are legal voters under the laws of Tennessee, and who have been residing within the limits of said corporation of Cleveland for thirty days preceding the day of said election, and being *bona fide* citizens of said town, and all persons owning real estate within the limits of said town of Cleveland who do not reside within the same, be entitled to vote at said election. Qualifications of voters.

SEC. 4. *Be it further enacted,* That if the number of votes cast at said election in favor of the issuance of said bonds be three-fourths of the legal votes cast then the bonds shall be issued, otherwise they shall not.

SEC. 5. *Be it further enacted,* That said bonds may be issued in denominations of one hundred dollars to one thousand dollars, at the discretion of the Mayor and Aldermen, and shall mature at from five to thirty years, as may be fixed by ordinance, and shall bear interest at a rate not to exceed six per centum per annum, and with Denominations, maturity and interest.

coupons attached for the interest, which shall be paid annually.

Taxes.

SEC. 6. *Be it further enacted,* That the said Mayor and Aldermen shall, by ordinance, provide for the assessment, levy, and collection of such taxes as may be necessary to pay said bonds so issued and the accrued interest thereon, and may provide a sinking fund for that purpose.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 174.

AN ACT to authorize the Mayor and Aldermen of the town of Gallatin, Sumner County, to borrow the sum of ten thousand dollars for the purpose of improving and repairing the streets of the said town; and to issue interest-bearing negotiable bonds for said amont, and to levy and collect taxes for the payment of the same.

May borrow money.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Gallatin, Sumner County, be and they are hereby authorized and empowered to borrow the sum of ten thousand dollars for the purpose of improving, reconstructing and repairing the streets of the said town, and to this end said Mayor and Aldermen of the town of Gallatin are hereby authorized and empowered to issue negotiable interest-bearing coupon bonds to the amount of said sum of ten thousand dollars, and to negotiate and sell the same for the purpose of raising the money to improve, reconstruct, and repair the streets of the said town, but for no other purpose. Said bonds shall be signed by the Mayor and Recorder of said town, and the corporate seal of said town shall be affixed to each before being issued; they shall be issued in such demomination as the said Mayor and Aldermen shall fix, and shall be payable at the end of twenty years from the date of their issuance, or sooner, at the option of the Mayor and Aldermen of said town; shall be designated as "street bonds," and shall bear interest at the rate of six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds; but said bonds shall not be sold or disposed of for less than dollar for dollar of their face value.

SEC. 2. *Be it further enacted,* That upon issuance of said bonds, in conformity with the foregoing section, they shall be a valid and binding debt and obligation of the Mayor and Aldermen of the town of Gallatin; and the Mayor and Aldermen of the town of Gallatin are hereby authorized and empowered to levy and collect annually, beginning the year 1891, while said bonds or any of them are outstanding, a special tax, not exceeding the rate of twenty cents on the one hundred dollars, assessed value, on all the taxable property within the corporation limits of said town, and taxable under the laws of the State for corporation purposes, and to levy and collect a special privilege or license tax upon all pursuits, vocations, and business carried on within the corporate limits of said town, required by the laws of the State to pay a privilege tax to the State, not exceeding the rate or amount of privilege tax on such business for State purposes, for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

Validity of bonds.

Special tax.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 175.

AN ACT to change the time of holding the Circuit Courts of McMinn County, and to amend Section 2, Chapter 35, Acts of 1889, and to fix the time for holding the term of said Court.

Change of terms.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2, of Chapter 35, of the Acts of 1889, be so amended that the terms of the Circuit Courts of McMinn County, shall commence on the first Mondays in March, July and November, instead of the second Mondays in April, August and December, as now provided by law.

Process.

SEC. 2. *Be it further enacted,* That all process issued from said court and made returnable to the second Monday in April, 1891, shall be returnable to the first Monday in July, 1891, and that all the causes now pending in said court, and triable on the second week of April, 1891, shall stand continued until the first Monday in July, 1891, and that the jurors summoned to attend said court on the second Monday in April, 1891, shall attend said court on the first Monday in July, 1891.

Clerk to take recognizances.

SEC. 3. *Be it further enacted,* That the Clerk of said court shall, at the time at which said court was formerly held, open said court and in all criminal cases take recognizance from defendants therein to the next term of said court thereafter, as fixed by this Act; and if such defendants fail to appear and enter into the recognizances for their appearance then the Clerk shall have them called out and enter upon in due form judgment by forfeitures against such defendants, and issue writs of *scire facias* against said defendants and their sureties, returnable to said next term as fixed by this Act, without the presence of the Judge, in the same manner as if the Judge were present at the time.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after May 1, 1891.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 176.

AN ACT to authorize the Mayor and Aldermen of the town of Bristol to issue coupon bonds in an amount not exceeding two hundred thousand dollars ($200,000) for the purpose of constructing a system of sewerage, to pave or macadamize the streets, to build a court-house and city hall combined, and to purchase ground and erect thereon a market-house.

May issue $200,000 in bonds.

SECTION 1. *Be it enacted by the General Assembly of the the State of Tennessee*, That the Mayor and Aldermen of the town of Bristol, Tennessee, be and they are hereby authorized and empowered, in their corporate capacity, to issue interest-bearing bonds, with coupons attached, of said town, signed by the Mayor and countersigned by the Recorder of said town, to an amount not exceeding two hundred thousand ($200,000) dollars for all the purposes herein contemplated, the proceeds of all of which said bonds shall be used exclusively in such proportions as, under the provisions of this Act, may be determined upon for the following purposes, to wit: For the construction of a system of sewerage, for paving or macadamizing the streets, for the erection of a suitable building within the limits of said town to be used as a city hall and court-house combined, and for the purchase of suitable grounds and the erection of a suitable building within the limits of said town to be used as a market-house; and said Mayor and Aldermen, under said restrictions, shall have power to issue any of said bonds for any one or more of said purposes, in such amounts and at such time or times as they shall deem best; *provided*, that none of said bonds shall be issued until an election or elections shall have been held in said town, as hereinafter provided, to determine whether the legal voters of said town favor the issuance of all or any portion of said bonds for the purpose designated in this Act.

Purposes and restrictions.

Denominations, interest and maturity.

SEC. 2. *Be it further enacted*, That any and all bonds issued at any time under this Act shall be of such denominations, bear such rate of interest, not to exceed six per cent. interest per annum, and be due in such time not less than five (5) nor more than thirty (30) years from date, and payable at such time and place as the corporate authorities may determine.

SEC. 3. *Be it further enacted*, That before said Mayor and Aldermen shall issue any of the bonds contemplated by this Act they shall first order and cause to be held an election of the voters of said town, and prescribe the rules and regulations therefor, and shall give notice of said election by publication in some newspaper in said town at least once a week for three successive weeks, or by hand bills publicly posted for at least twenty (20) days, specifying in the notice the amount of the bonds proposed to be issued, and for what one or more of the purposes authorized by this Act, naming the maximum amount to be used for each one or more of such purposes to be voted upon, and if three-fourths of the persons voting at such election are in favor of issuing the bonds accordingly, then the said Mayor and Aldermen may issue them; and said election may be held at any time, or as many times for any or all of said purposes as the said Mayor and Aldermen may deem necessary. Election.

Qualifiations of voters.

SEC. 4. *Be it further enacted*, That all persons living within the limits of said town who are legal voters according to the laws of Tennessee, and who have been living within the limits of said corporation of Bristol for thirty (30) days next preceding the election, and being *bona fide* citizens of said town, and all persons owning real estate within the limits of said town of Bristol, although they may not reside within the same, shall be entitled to vote at said election or elections.

Tax levy.

SEC. 5. *Be it further enacted*, That the Mayor and Aldermen of the town of Bristol shall, by ordinance, provide for the assessment, levy, and collection of such taxes as may be necessary to pay off said bonds so issued, and the accruing interest thereon, and may provide a sinking fund for that purpose.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 177.

AN ACT to amend Section 2 of an Act approved April 6, 1881, entitled "An Act to amend an Act to provide for the establishment and to prescribe rules for the government of a State Normal School or Schools, passed and approved March 23, 1875."

$15,000 appropriated annually.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of said Act be and the same is hereby so amended as to read as follows: "That the said Board of Education be and the same is hereby authorized to expend annually for the support of said Normal College at Nashville, exclusively, fifteen thousand dollars ($15,000) out of any funds in the State Treasury not otherwise appropriated, to be paid as provided in said Section 2; *provided,* That the Peabody Board of Trustees shall allow to the State thirty-three scholarships of one hundred dollars ($100) each and traveling expenses, one of whom shall be appointed from each Senatorial District in the State upon and after such competitive examinations as may be prescribed by the State Board of Education, to be held in the several counties of the State."

SEC. 2. *Be it further enacted,* That all other Acts in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 178.

AN ACT to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for the inspection, analysis and tests of commercial fertilizers,' passed April 5, 1889, and approved April 8, 1889, being Chapter 266 of the Acts of 1889."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 6, of Chapter 266, of the Acts of 1889, be and the same is hereby amended so as to read as follows, to wit: That all the specimens of fertilizers collected by said inspectors shall by them be sent, as the said Commissioner may instruct, to the Director of the Experimental Station of the University of Tennessee, or to some competent chemist, giving the preference to the Director of said Experimental Station, to be analyzed without delay for the benefit of agriculture in the State, and the results reported to the Commissioner of Agriculture within fifteen days from the receipt of the sample, and that the chemical analysis for the State shall be done under oath to deal impartially and faithfully, and the official certificate of the chemist shall be competent testimony in the courts of this State.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 179.

AN ACT to amend Sections 1 and 4, Chapter 20, of an Act passed by the "Extra Session" of the Forty-fourth General Assembly entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and to fix the time for holding the terms of said courts so as to change the times of holding the courts in the counties of Dyer, Lauderdale and Tipton."

Change terms.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the time for holding the Circuit Court in the County of Lauderdale shall be on the second Tuesday in March, July and November instead of the first Tuesday in March, July and November, as now provided by law, and the time for holding said courts in Dyer County shall be on the first Tuesday of April, August and December instead of the Third Tuesday in March, July and November, as now fixed by law; *provided, however,* that the March term of the Circuit Court of Dyer County for the year 1891 shall be held as now provided by law on the third Tuesday in March; *and further provided,* that the next term of said court thereafter for the year 1891 shall be held in said county on the first Tuesday in August, as provided by this Act.

Bonds and recognizances.

SEC. 2. *Be it further enacted,* That all bonds and recognizances taken from defendants in criminal causes at the March term, 1891, of said court in said County of Dyer, in cases where causes are continued, shall be so taken as to bind defendants to appear at the succeeding August term of said Circuit Court.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 180.

AN ACT to provide for funding the twenty-nine bonds of the State of Tennessee owned and held by Mrs. James K. Polk into settlement bonds of the State authorized to be issued by the funding Act of 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Funding Board is hereby authorized and required to fund, take up and cancel the twenty-nine bonds of the State of Tennessee owned and held by Mrs. James K. Polk, and issue therefor twenty-nine three per cent. settlement bonds of the State of Tennessee, such as authorized to be issued under the funding Act of 1883, together with coupons from maturity.

SEC. 2. *Be it further enacted,* That the Funding Board is hereby required to clip all past due coupons on said settlement bonds and cancel them and turn same over to the State Comptroller to be pasted in the coupon book as coupons that have been paid are required to be pasted.

SEC. 3. *Be it further enacted,* That the fees of the Comptroller, Treasurer and Secretary of State shall be $1 each for each bond, which shall include all work and certificates required of the New York Stock Exchange.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 181.

AN ACT to amend an Act, Chapter 95 Section 4, and passed April 4, 1885, to authorize the several counties in the State of Tennessee to promote the public health.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 4 of the above recited Act be amended so as to read two years in lieu of four years, and that hereafter the county jail physician shall be elected for two years instead of four years by the County Courts of the several counties of Tennessee; *provided,* this Act shall not apply to incumbents under the present law until the expiration of the respective terms of their office.

SEC. 2. *Be it urther enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 182.

AN ACT to empower County Courts to appropriate money for an exhibit at the World's Columbian Exposition.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County Courts of the respective counties of Tennessee are hereby authorized and empowered to make appropriations of money to provide for an exhibit of their resources at the World's Columbian Exposition to be held in the city of Chicago, State of Illinois, in the year 1893, and to prescribe ways and means, rules and regulations governing the expenditure of any money so appropriated.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 183.

AN ACT to compile the several Acts incorporating the town of Wartrace into one Act, and to amend the same, and to repeal all Acts in conflict with this Act.

Declaration.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the several Acts and parts of the same heretofore passed, incorporating the town of Wartrace, as are herein compiled and codified and amended, shall be and are hereby declared and designated the charter of the town of Wartrace.

Corporate name and powers.

SEC. 2. *Be it further enacted*, That the town of Wartrace, in the county of Bedford, and the inhabitants thereof are hereby constituted a body politic and corporate by the name and style of the Mayor and Aldermen of the town of Wartrace, and shall have succession for ninety-nine years; may sue and be sued, plead and be impleaded, in all the courts of law and equity and in all actions whatever; may purchase, receive and hold property, real and personal, beyond the limits of the town to be used for the burial of the dead, for the erection of water-works, for the establishment of a work-house or house of correction; and may sell, lease or dispose of said property for the benefit of the town, and do all other acts touching the same as natural persons, and shall have a common seal and change it at pleasure.

SEC. 3. *Be it further enacted*, That the boundary of the town of Wartrace shall be one mile square; the center of the Nashville, Chattanooga & St. Louis Railway depot grounds shall be the center of the said one mile square; and shall include within its boundaries all of said territory. There shall be a Board of one Mayor and five Aldermen to consist of members chosen by the qualified voters of the town of Wartrace for two years. No person shall be an Alderman unless he be a citizen of the State of Tennessee and a *bona fide* resident and owner of landed property in the said town for which he is elected at the time of his election. Any Alderman, after his election, removing from and ceasing to be a freeholder in the town shall vacate his office. Each Alderman shall, before entering upon the duties of his office, take an oath that he will faithfully comply with the laws, rules and regulations of the said town. All vacancies in the Board of Aldermen shall be filled by a vote of a majority of the remaining members.

Town boundary.

SEC. 4. *Be it further enacted,* That the Mayor shall be elected by the qualified voters of the town of Wartrace, and shall hold his office for two years, and until his successor shall be elected and installed into office. No person shall be elected Mayor who is not, at the time of his election, a citizen of the State of Tennessee and a *bona fide* resident and owner of real estate in said town. Should the Mayor's office be vacated by death or otherwise the Board of Aldermen shall elect one of their members to fill the unexpired term. The Mayor shall have power to fill all vacancies occurrring in any office, except that of Alderman, until the same be filled by election. It shall be the duty of the Mayor to preside at all meetings of the Council, but in case of his inability to preside he may appoint one of the Aldermen to preside *pro tem.* in his place; to take care that all the ordinances of the town are duly enforced, respected and observed within the town; to take an oath of office before entering upon the duties of the same, and to call special sessions of the Board of Mayor and Aldermen when he may deem it expedient, and shall have the right to vote on all questions before the board.

Mayor.

SEC. 5. *Be it further enacted,* That the Mayor and Aldermen of the town of Wartrace shall have power to appoint a Recorder and define his duties, and shall have full power and authority to appoint all officers and agents of the corporation; to fill such offices as they may deem necessary to create by ordinance, and they shall fix the compensation of such officers, and have the power,

Appointment of officers.

two-thirds of all the members of the board concurring, to dismiss any officer or agent of said corporation that they may appoint.

Recorder.

SEC. 6. *Be it further enacted,* That the Recorder of the town of Wartrace be and he is hereby invested with concurrent jurisdiction of Justice of the Peace in all cases of violation of the criminal laws of the State, or any of the ordinances of Mayor and Aldermen of the town of Wartrace, within the bounds of said corporation.

Elections.

SEC. 7. *Be it further enacted,* That the election of Mayor and Aldermen shall be held in the town of Wartrace, Tennessee, the first Wednesday in November, 1891, every two years thereafter by judges appointed by the existing Board of Mayor and Aldermen of the said town; and they shall appoint three judges, one of whom shall be named as chairman of said judges, who shall be owners of real estate in said town and shall reside therein, and shall appoint two clerks, males over twenty-one years of age and residents of said town, and the judges and clerks shall, before entering on their duties, be duly sworn that they will faithfully and impartially discharge their duties as judges and clerks of the said election. They shall cause the polls to be opened at 9 o'clock A. M. and held open until 4 o'clock P. M., when the polls shall be closed, and they shall forthwith proceed to ascertain the result of said election, and shall make certified returns of the same to the existing Mayor. All male persons over twenty-one years of age owning real estate having a *bona fide* registered deed to same, and all male persons over twenty-one years of age having lived in the State twelve months and in the county six months, and three months in the corporate limits of Wartrace next preceding the day of election shall be legal voters. No person shall be excluded from voting, who is otherwise a legal voter, on account of being off on transient or other work, except no person shall vote who is disfranchised on account of crime or imprisonment under the laws of the State or United States. In all cases of a tie occurring in the election of Mayor and Aldermen the existing Mayor shall refer the same back to the qualified voters of the town by ordering a new election and causing the same to be opened and held within ten days, and the results of the said new election to be made known to him in the same manner as hereinbefore provided for. The Mayor and Aldermen elect shall meet on the first Tuesday in January, Eighteen Hundred and Ninety-two (1892), and every two years there-

Voters.

Board to organize.

after, and organize under this charter. The present officers shall hold their offices until the above stated time, and the new board shall reorganize and fill all appointed offices heretofore created, should they deem it necessary. It shall require the Mayor and three Aldermen elect to constitute a legal quorum to transact business.

Powers of Board.

SEC. 8. *Be it further enacted,* That the Mayor and Aldermen shall have power by ordinance within the town to levy and collect taxes upon all property taxable by law for State purposes; to levy and collect taxes upon all privileges and polls taxable by laws of the State; to appropriate moneys and provide for the payment of all debts and expenses of the town; to make regulations to secure the general health of the inhabitants, and to prevent and remove nuisances; to open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean, to keep in repair streets, alleys, side-walks or to have the same done; to pass all ordinances not contrary to the Constitution and laws of the State that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of their incorporation, and to provide for and establish a system of schools.

Police.

SEC. 9. *Be it further enacted,* That the Town Constable and constituted watchman of said town shall have power to execute State warrants and other process which Constables generally have power to execute within the limits of the corporation.

SEC. 10. *Be it further enacted,* That all Acts and parts of Acts heretofore passed for the said town of Wartrace be and the same are hereby repealed.

SEC. 11. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 184.

AN ACT to limit the time within which claims shall be presented to Trustees under general assignments.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all Trustees under general assignments hereafter made for the benefit of creditors shall give notice by advertisement for four consecutive issues in the nearest newspaper to or within the county within which he is qualified, and by posting at the court-house door of said county, for all persons having claims secured by the assignment to present the same to him, taking his receipt therefor, on or before a day fixed in such notice, which day shall not be less than twelve months after the day of notice; and any claims not presented to the Trustee on or before the day fixed as aforesaid, or before an appropriation of the trust funds, shall be forever barred both in law and equity.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 185.

AN ACT to authorize the Mayor and Aldermen of the town of Johnson City to issue bonds and build and maintain a system of waterworks for said town.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Johnson City, Tennessee, be and are hereby authorized and empowered to issue interest-bearing coupon bonds, in their corporate capacity, to be signed by the Mayor, and to be countersigned by the Recorder for said town, in an amount not to exceed one hundred thousand dollars, to be used exclusively in building and maintaining a system of water-works for said town, and to be known and designated as the "Water-works Bonds" of Johnson City. **Water-works bonds.**

SEC. 2. *Be it further enacted,* That before said bonds are issued, the Mayor and Aldermen of said town shall appoint some suitable person to hold an election, and at some suitable time to hold said election to determine whether the legal voters of said town favor the issuance of bonds for water-works purposes. Before said election is held the person or persons appointed by said Mayor and Aldermen to hold the same shall give public notice at least 15 days beforehand by written or printed posters and by publication in some newspaper published in Johnson City, of the time of holding of said election. **Election.**

SEC. 3. *Be it further enacted,* That all persons who are now qualified by law to vote for Mayor and Aldermen of said town shall be qualified to vote at said election. **Voters.**

SEC. 4. *Be it further enacted,* That if three-fourths (¾) of all the votes cast at said election shall be for water-works bonds, then said bonds may be issued. At said election those who oppose issuing the bonds will vote "Against Water-works Bonds." **Requisite vote.**

SEC. 5. *Be it further enacted,* That said bonds, when issued, shall run for twenty years, and bear interest at the rate of six per cent. per annum, and shall have coupons attached; said bonds shall be issued of such denominations as the Mayor and Aldermen of said town may elect, and the interest on the same shall be payable semi-annually.

SEC. 6. *Be it further enacted,* That the Mayor and Aldermen of said town be and are hereby authorized to provide by ordinance for the assessment, levy and collec- **Taxes.**

tion of such taxes as may be necessary to pay off said bonds, and the interest accumulating thereon, and may provide a sinking fund for that purpose.

SEC. 7. *Be it further enacted,* That the bonds issued under the provisions of this Act shall not be sold or disposed of by the Mayor and Aldermen for less than their par or face value.

Powers and duties of the board.

SEC. 8. *Be it further enacted,* That when bonds shall have been legally voted under the provisions of this Act, the Mayor and Aldermen of said town shall be authorized and empowered to establish and construct water-works in or near the town of Johnson City, and to equip said water-works with sufficient capacity to furnish water to said corporation authorities and the inhabitants of said town, and to establish said water-works; said Mayor and Aldermen are authorized and empowered to lay down pipes through the streets, lanes and alleys of said town, and to bring a sufficient supply of water by means of pipes or tanks, or in any other way, and to construct reservoirs and pipes for the reception thereof, and the environs thereof, and all who may be along its pipes, and to erect hydrants and fire-plugs within said town, and to contract with the inhabitants for the use of said water, and charge for the same, and to make rules and regulations respecting the use and wasting of water, and to provide penalties by ordinance for those using the water without contracting for and paying for it, or corrupting the water, or injuring or destroying the pipes, hydrants, fixtures, etc.

Mortgages.

SEC. 9. *Be it further enacted,* That the said Mayor and Aldermen of the town of Johnson City be and they are hereby authorized and empowered to execute mortgages or deeds of trust on the water-works, pipes, hydrants, etc., to secure the payment of the "Water-works Bonds" issued under the provisions of this Act.

SEC. 10. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 186.

AN ACT to provide for the erection and maintenance of asylums for the insane, poor and afflicted, and inebriates, by counties having a population of forty thousand and over under the Federal Census of 1880, or any subsequent Federal Census.

Authority.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any county in this State having a population of forty thousand or over, according to the Federal Census of 1880, or any future subsequent Federal Census, shall have the power and authority to purchase land and erect and maintain an asylum for the insane, and the poor and afflicted, and inebriates in the manner hereinafter provided.

Managing and building commissioners

SEC. 2. *Be it further enacted,* That by direction of the County Court, at any quarterly session, the County Judge or Chairman of the County Court of any county desiring to erect an asylum under the provisions of this Act, shall select and appoint three Justices of the Peace and three citizens (not Justices) of said county, men of intelligence and integrity, who, in conjunction with the County Judge or Chairman of the County Court of such county, shall constitute a commission to be known as the "Managing and Building Commissioners," whose duty it shall be to purchase land and procure plans and specifications, and to contract for, and superintend the erection of such buildings and improvements as the County Court may approve of and order.

Officers.

SEC. 3. *Be it further enacted,* That the officers of an asylum erected under the provisions of this Act shall be a Board of Commissioners, a superintendent, steward and farm manager (if there be a farm connected with the asylum); but the County Court may, upon recommendation of Superintendent and Board of Commissioners, create such other offices as may be found necessary to the good conduct of the institution.

Commissioners

SEC. 4. *Be it further enacted,* That the Board of Commissioners shall consist of five citizens of the county erecting the asylum, of known intelligence, business capacity and integrity, two of whom shall be Justices of the Court and three who are not justices. They shall be elected by the Quarterly County Court; the members of said board are responsible to the County Court for the faithful discharge of their duties, and may be suspended for neglect of duty by the Judge or Chairman of the Court, who shall, when any one of said board shall be suspended, report his action to the next Quarterly Court for its approval.

SEC. 5. *Be it further enacted,* That the Board of Commissioners shall hold office for the term of four years, and if a vacancy occurs by reason of death, resignation, or otherwise, the County Court shall fill the same for the unexpired term.

Oath.

SEC. 6. *Be it further enacted,* That each member of the Board of Commissioners shall, before entering upon the discharge of his duties, take and subscribe to an oath that he will well and faithfully discharge the duties of his office, and said oath shall be filed with the Clerk of the County Court, and a record of the same made upon of the the minutes of the County Court.

Chairman.

SEC. 7. *Be it further enacted,* That said Board of Commissioners shall select a chairman, who shall preside over their meetings, and a secretary, whose duty it shall be to keep in a well bound book correct minutes of all the proceedings of the Board.

Payments.

SEC. 8. *Be it further enacted,* That when money is to be drawn out of the county treasury for the payment of, improving, repairs or for the ordinary expenses of maintaining the institution, it shall be upon an account drawn against the county, specifying the items of expense and for what purpose, and after being approved by the Superintendent and the Board of Commissioners, signed by the chairman and secretary, and entered upon the minutes of the Board of Commissioners, the County Judge or Chairman shall issue his warrant for the same; *provided,* that the same shall first be approved and allowed by the Quarterly County Court.

Accounts examined quarterly.

SEC. 9. *Be it further enacted,* That the Commissioners shall, at the close of each quarter, and at least two days before the regular quarterly meetings of the County Court, submit the book or books kept by the Superintendent and the minute book of the board to the County Judge or Chairman for settlement and comparison with audited accounts kept in his office, and if found correct the County Judge or Chairman shall endorse on such books "examined and approved," and shall sign his name thereto officially.

Reports.

SEC. 10. *Be it further enacted,* That the Commissioners shall make a written report of the condition of the asylum to each quarter term of the court, to which shall be attached and made a part thereof the report of the Superintendent.

Applicants for admission.

SEC. 11. *Be it further enacted,* That all applicants for admission to the asylum shall be made in writing or upon printed blanks in such manner as may be prescribed by the Superintendent and Board of Commissioners. The Commissioners shall examine all applications for admission and may admit or reject the applicant. But any applicant rejected may appeal from the decision of the Commissioners to the next regular term of the Quarterly Court of the county, and may be admitted or excluded at the discretion of the court, and when any applicant is rejected by the Board of Commissioners, they shall endorse on his or her application the reasons for the rejection, and file the same with the County Judge or Chairman, who shall present the same to the County Court when the appeal is heard.

Pay of commissioners.

SEC. 12. *Be it further enacted,* That the Quarterly County Court shall allow the Commissioners reasonable compensation, to be paid out of the county treasury upon warrant of the County Judge or Chairman.

Superintendent.

SEC. 13. *Be it further enacted,* That the Superintendent of the Asylum shall be appointed by the Board of Commissioners, and shall be a skilled physician of unblemished character, of enlightened and thorough professional education, of prompt business habits and of humane and kind disposition. He shall be a married man, and, with his family, shall reside constantly on the premises.

SEC. 14. *Be it further enacted,* That the Superintendent shall hold his office for a term of four years, and may be dismissed by the Board of Commissioners for incompetency, neglect of duty, immoral conduct or other causes satisfactory to the board; in which event the Board shall appoint a suitable person to fill the vacancy, and the Superintendent shall at once turn over the asylum and inmates to the person so appointed.

Control.

SEC. 15. *Be it further enacted,* That he shall exercise entire control over all subordinate officers and assistants in the asylum, and shall have entire direction of the duties of the same, under such rules and regulations as may be adopted by the Board of Commissioners, and the Superintendent, he himself, being accountable to the board for their good character and fidelity in the discharge of their duties.

Salary.

SEC. 16. *Be it further enacted,* That the Superintendent shall receive such salary as may be recommended by the Board of Commissioners and fixed by the County

Court, payable quarterly by warrant of the County Judge or Chairman.

Record.

SEC. 17. *Be it further enacted,* That the Superintendent shall keep or cause to be kept in a well bound book, to be furnished by the county, a record of all persons admitted into the institution, giving name, occupation, place of birth, sex, age, whether married or single, the disease or malady, whether white or colored, date of admission and discharge, and any other particulars he may deem necessary and proper.

Accounts

SEC. 18. *Be it further enacted,* That the Superintendent shall keep, or cause to be kept, in a well bound book, accounts for ordinary expenses, repairs, buildings, salaries, etc., which have been approved by himself and the Commissioners, specifying the date, for what purpose; also an account of the products of the farm, the amount thereof consumed by the inmates and the amount sold, and the proceeds.

Reports

SEC. 19. *Be it further enacted,* That the Superintendent shall, at the close of each quarter, and before the meeting of the Quarterly Court, make a report to the Commissioners, in which he shall show the number of inmates, the number of males and females, whether white or colored, separating the insane from the poor. He shall also show the amount of expenditures, separating the accounts so as to show how much has been expended for building and repairs and how much for ordinary expenses of maintaining the institution, and at the close of each year (where a farm is attached) he shall report the products of the farm, the amount of the same consumed by the inmates, and the amount sold, and upon other matters required by the Commissioners or the Court, or that he may deem necessary.

Duties of Superintendent

SEC. 20. *Be it further enacted,* That it shall be the duty of the Superintendent—

1. To exercise a general superintendence over all matters relating to the asylum.

2. To visit the patients and inmates at least twice a week, or oftener if necessary.

3. To look after the treatment of the inmates of the asylum, the manner in which they shall live, sleep, be clothed and labor.

4. To see that the insane, the sick and infirm are properly attended and provided for.

5. To see to the enforcement of such rules and regulations as may be adopted by the Superintendent and Commissioners for proper government of the institution.

6. To pay over moneys received by him from products of farm or other sources into the county treasury upon receivable warrant of the County Judge or Chairman.

Bond.

SEC. 21. *Be it further enacted*, That the Superintendent shall, before entering upon the discharge of his duties, enter into bond in the sum of two thousand ($2,000) dollars, with two or more solvent sureties, to be approved by the Judge or Chairman of the County Court, payable to the State of Tennessee, conditioned that he faithfully account for all property and pay over all moneys which may come into his hands, and faithfully to discharge the duties of his office as Superintendent. He shall also take and subscribe to an oath to faithfully discharge the duties of his office, which bond and oath shall be filed with the Clerk of the County Court and recorded upon the minutes of the Court.

Rules.

SEC. 22. *Be it further enacted*, That the Superintendent and Commissioners may make and prescribe rules and regulations for the management and government of the asylum and its officers and subordinates and the inmates as may be necessary and proper, and may change the same from time to time at pleasure, and cause the same to be printed at the expense of the county.

Salaries.

SEC. 23. *Be it further enacted*, That the Commissioners, in conjunction with the Superintendent, shall prescribe and fix the salaries of all subordinate officers and assistants, subject, however, to the approval of the Quarterly County Court; and said salaries, when so fixed and approved by the Commissioners and Superintendent, shall be paid quarterly by warrant of the County Judge or Chairman.

Removal.

SEC. 24. *Be it further enacted*, That the Commissioners, in conjunction with the Superintendent, shall have power to appoint and remove all subordinate officers and attendants.

Quorum.

SEC. 25. *Be it further enacted*, That three of the Commissioners shall constitute a quorum for the transaction of all business.

SEC. 26. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, provided that nothing in this Act shall be so construed as to prevent counties having a population of 40,000 and over from maintaining a poor-house, already erected and established under the present law, until such time as they may see proper to erect and maintain an asylum under the provisions of this Act.

SEC. 27. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 187.

AN ACT to amend an Act of the Extraordinary Session of 1885, passed June 11, and approved June 12, 1885, entitled An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts of this State, and to fix the time of holding the terms of said Chancery, Circuit and other courts, and to detach Cumberland County from the Fifth Judicial Circuit and attach it to the third, and to fix the time of holding courts in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act of the Extraordinary Session of 1885, passed June 11, 1885, and approved June 12, 1885, entitled An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and provide for the administration of justice and equity in the Circuit and Chancery and other inferior courts in this State, and to fix the time for holding the terms of Chancery, Circuit and other courts, be so amended that the county of Cumberland be detached from the Fifth Judicial Circuit of this State, and that the Judge of the Third Judicial Circuit shall hold the Circuit Court of Cumberland County on the second Mondays in March, July and November.

SEC. 2. *Be it further enacted*, That this Act shall not operate to change the times for holding the Cumberland

County Circuit Courts until after the next May term of said court.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 188.

AN ACT to encourage the building of macadamized roads in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the macadamized turnpike roads hereafter to be built in this State shall not exceed in grade a greater angle than seven degrees with the horizon.

SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor

CHAPTER 189.

AN ACT to authorize the Trustee of Hickman County to loan the school fund now in his hands or that may come into his possession.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Trustee of Hickman County be authorized and empowered to loan the school fund which is now or may hereafter come into his hands, which is in excess of the amount required to carry on or maintain the common schools of said county for one year; *provided,* that before the said money be delivered to the person or persons borrowing the same, the note with the securities for said funds or money be submitted to the County Court of said county and be approved by said County Court; *provided further,* that not less than two securities be accepted on said notes.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 190.

AN ACT to enable the town of Lexington, Tennessee, to issue bonds for the purpose of improving its streets and sidewalks.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Lexington, Tennessee, be and they are hereby authorized and empowered, in their corporate capacity, to issue interest-bearing bonds of said town, signed by the Mayor and countersigned by Recorder of said town, to an amount not exceeding ten thousand dollars, and said bonds shall not be sold for less than the face value of the same, the proceeds of which shall be used exclusively in the improvement of the streets and sidewalks of said town, as the said Mayor and Aldermen may from time to time direct; *provided,* that said bonds shall not be issued until an election is held in said town to determine whether the majority of the legal voters of said town favor the issuance of said bonds. Authority.

SEC. 2. *Be it further enacted,* That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold the same, and that said election shall be held under such regulations and restrictions as said Mayor and Aldermen, by ordinance, establish. Election.

SEC. 3. *Be it further enacted,* That all persons living within the limits of the corporation of said town, and who are legal voters according to the laws of Tennessee, and who have been residing within the limits of the corporation of Lexington for thirty days preceding the day of said election, and being a *bona fide* citizen of said town, and all persons owning real estate within the limits of said town of Lexington who do not reside within the same, shall be entitled to vote at said election. Votes.

SEC. 4. *Be it further enacted,* That if the number of votes cast at said election in favor of the issuance of said bonds be a majority of all the votes cast at said election, then the said bonds may be issued. Majority.

SEC. 5. *Be it further enacted,* That the bonds herein provided for may be executed of the denominations of one hundred dollars to one thousand dollars, at the discretion of said Mayor and Aldermen, and shall mature Bonds.

at times from five to thirty years, as may be fixed by ordinance of Mayor and Aldermen, and shall bear interest at any rate, not to exceed six per cent. per annum; *provided*, said bonds may be issued with coupons attached.

Sec. 6. *Be it further enacted*, That said Mayor and Aldermen shall, by ordinance, provide for the assessment, levy and collection of such taxes as may be necessary to pay said bonds so issued, and the accrued interest thereon, and may provide a sinking fund for that purpose.

Taxes.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 191.

AN ACT to enable the town of Humboldt, Tenn., to issue bonds for the purpose of building a court-house and paving and graveling the streets of said town.

Section 1. *Be it enacted by the General Assembly of* the *the State of Tennessee*, That the Mayor and Aldermen of the town of Humboldt, Tenn., be and they are hereby authorized and empowered in their corporate capacity to issue interest-bearing bonds of said town, signed by the Mayor of said town, to an amount not to exceed ten thousand ($10,000) dollars, the proceeds of which shall be used exclusively to build a court-house in said town, and to an amount not to exceed two thousand ($2,000) dollars, the proceeds of which shall be used exclusively in paving and graveling the streets of said town; *provided, however*, that said bonds shall not be issued until an election is held in said town to determine whether the legal voters of said town favor the issuance of said bonds.

Authority and amounts.

Sec. 2. *Be it further enacted*, That the Mayor and

Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold the same, and said election shall be held under such regulations and restrictions as the Mayor and Aldermen may, by ordinance, establish. Election.

Sec. 3. *Be it further enacted,* That all persons living within the limits of said town for thirty days preceding the day of said election, and being *bona fide* citizens of said town, and being qualified voters of the county, shall be entitled to vote at said election. Voters.

Sec. 4. *Be it further enacted,* That the bonds herein provided for may be executed of denominations of from one hundred to one thousand dollars, at the discretion of the Mayor and Aldermen, and shall mature from ten to twenty-five years, as may be fixed by ordinance, and shall bear interest at such rate as said Mayor and Aldermen may adopt; *provided,* it shall not exceed six per cent. per annum. Bonds.

Sec. 5. *Be it further enacted,* That if the number of votes cast at said election in favor of the issuance of said bonds be equal to a majority of all the votes cast at the preceding election for Mayor of said town, then the said bonds may be issued. Majority.

Sec. 6. *Be it further enacted,* That said Board of Mayor and Aldermen of Humboldt may, as above provided, submit to the citizens of Humboldt a proposition for a less amount than ten thousand dollars to build a court-house, as heretofore provided for in this Act. Less amount

Sec. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 192.

AN ACT to amend an Act to amend an Act to incorporate the town of Milan, in the county of Gibson and State of Tennessee, and for other purposes, passed February 15, 1866; and to amend the Act to incorporate the town of Bristol, in Sullivan County, Tennesse, passed April 2, 1881, and approved April 5, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the word "three," between the words "and" and "Aldermen," in the first section of said Act be stricken out, and the word "five" substituted therefor. That Section 2 of said Act be amended by striking out the word "two" in the third line of said section, and substituting therefor the word "three," and that the said act be further amended by striking out the following words in Section 4, to wit: "To lay off the town into wards and fix voting places therein."

SEC. 2. *Be it further enacted,* That hereafter no wards shall be laid off in said town or exist in the same.

SEC. 3. *Be it further enacted,* That this Act take effect on and after the day of the next municipial election of said town of Humboldt, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 193.

AN ACT to amend the Charter of Cumberland Gap, and authorize it to borrow money and issue bonds for corporate purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation of Cumberland Gap shall have and possess all the rights, powers, and privileges and be governed by the regulations and restrictions hereinafter prescribed and enumerated as follows, to wit:

Powers and privileges.

SEC. 2. *Be it further enacted,* That the corporation shall have perpetual succession, shall sue and be sued, implead and be impleaded, in all the courts of law and equity and in all actions whatsoever; may purchase, receive and hold property, real and personal, within said town, and may purchase, receive and hold property, real and personal, beyond the limits of the town to be used for the burial of the dead, for the erection of waterworks, work-houses or houses of correction and public parks and other corporate purposes; and may sell, lease or dispose of such property for the benefit of the town, and do all other acts touching the same as natural persons. It shall have and use a common seal, and may change it at pleasure.

Officers elected by the people.

SEC. 3. *Be it further enacted,* That the officers of the town of Cumberland Gap, to be chosen by the people, shall be a Mayor and Board of Aldermen, constituting a Town Council, each and all of whom shall be citizens of and voters in the said town. The Board of Aldermen shall consist of six members, chosen by the qualified voters of said town for two years. No person shall be an Alderman unless he has been, for six months, and then be a *bona fide* resident of the town. Any Alderman, after his election, removing from the town shall thereby vacate his said office.

Other offices, salaries, etc.

SEC. 4. *Be it further enacted,* That the Town Council shall, at its first meeting in each year, elect a Recorder, Marshal and such other officers, servants and other agents as they may deem necessary and may provide for by ordinance, and shall have power to prescribe the duties of same, all of which officers, agents and servants shall be *bona fide* citizens of and voters in said corporation. The Town Council shall also fix the compensation of such officers, etc., before their election, which compensation shall not be increased or diminished during their continuance in office. The council shall also have power to dismiss any officer, servant or agent elected or by them appointed, two-thirds of said council concurring in such dismissal, for any misdemeanor or misconduct. The Town Council shall also fix the salaries of the Mayor and Board of Aldermen, to be chosen for the next corporate term at the regular election to be held on the second Saturday in October, to serve for the ensuing two years, which compensation shall not be changed unless two-thirds of the New Board of Mayor and Aldermen concur therein, and then not increased during their continuance in office. The salaries of any of the other officers, agents and servants shall be fixed by the incoming Board of Mayor and Aldermen.

Powers of town council.

SEC. 5. *Be it further enacted,* That the Town Council shall have power, by ordinance, within the town:

1. To assess property for taxes, and to levy and collect, by proper officers, taxes upon real and personal property, polls and privileges taxable by the laws of the State.
2. To appropriate money and provide for the debt and expenses of the town.
3. To make regulations to prevent the introduction of contagious diseases into the town, or appoint a Board of Health for the purpose, and to enforce the same within one mile of the town limits.
4. To establish hospitals and make regulations for the government of the same.
5. To establish a system of free schools and maintain them by taxation, and to regulate the said schools so as to avoid sectarian influence.
6. To make regulations to secure the general health of the inhabitants and to prevent nuisances.
7. To provide the town with water-works, or contract with others for water-works within or beyond the town limits, for town or corporate purposes.
8. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean, and keep in repair streets, pikes, highways, alleys and sidewalks, or to have the same done.
9. To erect, establish and keep in repair bridges, culverts, sewers and gutters.
10. To provide for lighting the streets and public buildings and places.
11. To erect market-houses, to establish markets and regulate the same.

12. To provide for the erection of all buildings necessary for the use of the town.

13. To provide for the inclosing, improving and regulating all public grounds belonging to the town, in or out of the town limits.

14. To license, tax or regulate everything licensed, taxed or regulated by the State or county.

15. To regulate or prohibit and suppress all disorderly or bawdy houses.

16. To provide for the prevention or extinguishment of fires; to organize and establish fire companies; regulate, restrain and prohibit the erection of wooden buildings in any part of the town; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fire.

17. To regulate the storage of gunpowder, tar, pitch, resin, saltpeter, assafœtida, gun-cotton and all other combustible materials, and the use of light, candles and stove-pipes in all stables, shops and other places.

18. To establish standard weights and measures to be used in the town in all cases not otherwise provided for by law.

19. To provide for the inspection of lumber and other building material.

20. To provide for the inspection and weighing or measuring of everything not prohibited by State laws.

21. To regulate the police of the town, to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of the same, and to appoint an officer for the town who shall be the Recorder, before whom such recovery may be had, not, however, to exclude the jurisdiction of any other competent court.

22. To provide for the arrest and confinement, until trial, of all disorderly or notorious persons within the town, by day or night; to authorize the arrest and detention of all suspicious persons found violating any ordinance of the town.

23. To prevent and punish, by pecuniary penalties or otherwise all breaches of the peace, noise or disturbances, disorderly assemblies in any alley or street, house or place in the town, by day or night.

24. To prevent and remove all encroachments into and upon all streets, lands, parks, avenues and alleys established by law or ordinance.

25. To remove all obstructions from the sidewalks, and to provide for the construction and repair of side- **Sidewalks.**

walks and curbstones, and for cleaning the same, and of the gutters, at the expense of the owners of the ground fronting thereon.

Animals.

26. To regulate, tax, license or suppress the keeping or going at large of animals within the town, or any prescribed and designated part of the town; to provide pounds and to impound any animal or animals, and in default of redemption, in pursuance of ordinance, to sell, dispose of or kill the same.

27. To pass all ordinances, not contrary to the Constitution and laws of the State, that may be necessary to carry out the provisions and full intent and meaning of the object of their incorporation.

Work-house or jail.

28. To commit any person or persons who may fail or refuse to pay or secure any fine or cost imposed on him or them by any ordinance of said town, to the jail or work-house of said town, or to the jail or work-house of Claiborne County, until such fine or cost be fully paid or secured. Every person so committed to the jail or work-house shall be required to work for the town at such labor as his or her health and strength will permit, within or without said work-house, not exceeding (10) ten hours each day, and for such work the person so employed shall be allowed, exclusive of his board, a credit upon such fine and cost of not less than twenty-five cents a day until the whole is discharged, when he shall be released; *provided*, that no person shall be compelled to work longer than three months for any one offense.

29. Said corporation may contract with Claiborne County to be allowed to commit prisoners to jail or work-house of said Claiborne County upon such terms as can be agreed on.

Digest.

30. To prepare and have published a digest or compilation of all the ordinances and resolutions of a public nature in force, within two months after the passage of this Act, and a like digest or compilation thereafter as often as may be needed.

Inhibition.

31. No member of the Town Council shall become a bondsman for any agent, officer or servant of the town, nor be interested directly or indirectly in any contract with the corporation; nor shall any officer of Town Council vote on any proposition in which he has pecuniary interest.

Membership and rules.

32. To judge of the qualifications, elections and returns of its own members; to prescribe rules for determination of contested election, and to determine how vacancies shall be filled, and to determine all questions

in case of ties in any election, and to prescribe rules for government of Board of Mayor and Aldermen.

SEC. 6. *Be it further enacted*, That the election for Mayor and Board of Aldermen of said town of Cumberland Gap shall be held by the Marshal of the corporation, aided by two clerks only, and three judges, all of whom shall be legal voters in said town; on the second Saturday in October of every two years, after giving ten days' notice. The voters shall vote by ballot, and under such rules and regulations as the Board of Mayor and Aldermen shall prescribe as to the place, hours, etc., of voting, by ordinance. The officers of the town thus chosen shall go into office on the third Saturday in October, to hold office for two years, or until their successors are elected and qualified. The following shall be the qualifications for voting in town elections:

Election.

Voters.

1. He shall be qualified to vote for State and county officers.
2. He shall have resided for six months next preceding the election within the town limits, or shall be a male and a *bona fide* owner of real estate within the town limits.
3. A voter's residence is hereby defined as the place at which he habitually sleeps.

SEC. 7. *Be it further enacted*, That the judges and clerks to hold the election shall be sworn and qualified according to the election laws of the State, and the said election shall be conducted in all respects as all the various State and county elections, by virtue of the election laws of the State. The judges and clerks shall file the poll list with the Town Recorder, who shall preserve the same.

Poll list.

SEC. 8. *Be it further enacted*, That the person receiving the highest number of votes respectively for Mayor and Aldermen shall be declared elected, and it shall be the duty of the officers holding said election to make out and deliver to the Recorder a certificate of their election within three days thereafter, which certificate shall be produced at the first meeting of the Board, and a minute thereof then shall be made upon the records of the town; and if the Marshal fail to hold said election at the time herein mentioned, it shall be his duty to hold it as soon thereafter as may be, after giving the requisite notice; and for failure to hold the election as prescribed in this Act he shall forfeit and pay to the said corporation the sum of fifty dollars, to be recovered by action of debt in the name of Cumberland Gap; and if there be no Marshal,

Majority.

Penalty.

or he be a candidate for any office, or incompetent for any reason, the election shall be held by a person to be appointed by the Mayor and Alderman under the same regulations and penalties as are hereinbefore prescribed.

Quorum.

SEC. 9. *Be it further enacted,* That a majority of the Town Council shall be a quorum to do business, and if the Mayor, or if any of the Aldermen, or if any officer should die, resign or move out of the town limits, the vacancy shall be supplied by the council at its next meeting, or as soon thereafter as may be, and the person or persons so elected shall perform the same duties and be vested with the same powers and privileges as the person whose duties they are appointed to fill; and upon like condition the Mayor and Aldermen and all officers shall respectively take an oath before entering upon the duties of their office to execute the same faithfully and impartially, and the Mayor and Aldermen shall also take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee.

Oath.

Term of Mayor

SEC. 10. *Be it further enacted,* That the Mayor shall hold his office for two years, and until his successor shall be elected and qualified. No person shall be elected Mayor who is not, at the time of his election, a citizen of the State of Tennessee, and has not been for six months, and is not then a *bona fide* citizen of and voter in said town. A vacancy in the office of Mayor shall be filled by the Board of Mayor and Aldermen. The Mayor may fill all vacancies occurring in any office, except that of Alderman, until the same be filled by the Town Council. It shall be the duty of the Mayor to preside at all meetings of the council, to vote in the election of all officers of the town and in all cases where there is a tie vote. All ordinances or resolutions shall be approved and signed by the Mayor on or before the next meeting of the council; and the Mayor shall have veto power, and if he should refuse to approve any ordinance or resolution he shall return same to the council at its next meeting, with his reasons in writing for his refusal, and said ordinance or resolution shall not be valid unless the council, by a two-thirds vote, pass same notwithstanding the Mayor's veto. But if the Mayor does not veto same as provided, it shall be valid without his signature. The Mayor shall also take care that all the ordinances of the town are duly enforced, respected and observed within the town limits; shall call special sessions of the council when he may deem expedient, and to perform such other duties as the Town Council may, by ordinance or otherwise, impose

Vacancies.

Ordinances.

upon him. A Recorder's Court is hereby established, and the Recorder is hereby vested with all the powers of a Justice of the Peace in criminal cases, and shall try all offenses against the peace and dignity of the town of Cumberland Gap; *provided, however*, that a change of venue may be had in any case when affidavit is made by the accused and at least one disinterested party, that justice, in their opinion, will not be meted out by the Recorder, to any Alderman of the town of Cumberland Gap, who is hereby authorized to try and decide such case or cases. In the event an appeal is taken from any fine imposed by the Recorder or Aldermen of said town for violation of any of its ordinances to the Circuit Court of Claiborne County, Tennessee, the person so appealing shall give bond and security for the payment of said fine and cost, and to abide by and perform the judgment of the court on appeal, and in no case shall be entitled to an appeal from said fine and cost on the pauper's oath. The Marshal shall acquaint himself thoroughly with the laws and ordinances of the town, and it shall be his duty to rigidly enforce the same, for which purpose police authority is hereby given him, which he may exercise without warrant in hand. He shall collect all taxes levied by the council, except privileges and special taxes, and shall perform such other duties as the Town Council may, by ordinance, impose upon him. He shall have power to execute State warrants and other processes which constables generally have, within the town limits. The Marshal shall be chief of any police force organized in the corporation. The Recorder shall keep an accurate minute of all the proceedings of the Town Council, issue privilege license, and collect taxes on the same; he shall collect all special taxes levied by the Town Council, and shall keep a proper ledger account of the same; he shall make out the tax-books and turn the same over to the Marshal for collection, taking his receipt therefor, under the State laws regulating and governing the assessors of the State and county taxes; the compensation for this service shall not exceed annually twenty dollars; he shall have supervision over and care of other town property, unless otherwise provided by ordinance. The Recorder may be required by ordinance to act as Treasurer, if the council so prescribe by ordinance or resolution. The Recorder shall perform such other duties as the Town Council may, by ordinance, impose upon him. The Town Treasurer shall receive from the Town Marshal and Recorder, receipt for, take care of, and keep a proper ac-

Recorder's Court.

Appeals.

Marshal.

Recorder.

Treasurer.

count of all funds of whatever nature that may come into his hands; for such purpose he shall keep such book or books as the Town Council may direct; he shall make out and present quarterly, or oftener if required by the council, a full and explicit account of all finances under his control, and also a complete statement of the finances of the town, which report the Town Council may order published for the information of the town; before entering upon the discharge of his duties he shall give bond with good securities, conditioned upon the faithful and honest discharge of all duties pertaining to his office, and similar in all respects to that of the Marshal and Recorder, as hereinafter provided; he shall perform such other duties pertaining to his office as the Town Council may, by ordinance, provide. In absence of the Recorder the Mayor may designate an Alderman, who shall be vested with the same power as the Recorder to try cases.

Fees.

SEC. 11. *Be it further enacted*, That the Recorder and Marshal shall receive such fees as the Justices of the Peace and Constables are authorized to receive for rendering judgments, service of process, etc., and shall receive such other fees for other services as the council may allow them.

Bonds.

SEC. 12. *Be it further enacted*, That before entering upon the dischage of their duties the Recorder and Marshal shall enter into bond with good securities, in double the supposed amount of money which may come into their hands, the amount of such bonds to be fixed by the Common Council, conditioned upon the faithful performance of their duties, and upon diligent collection and faithful accounting for all moneys that shall or ought to come into their hands for fines, forfeitures and other moneys due said town, and which ought by law to be collected and paid over by them; and the said Marshal shall be liable as herein mentioned for failing to collect money, to return process or pay over money collected by process issued by the Recorder or Alderman. Said bond shall be made payable to Cumberland Gap or its Treasurer for the use and benefit of said town. Said bonds shall be filed and carefully preserved among the records of the town. The Town Marshal and Recorder shall pay over to the Treasurer all sums of money by them received for the town of Cumberland Gap. They shall both render quarterly, and as much oftener as the Town Council may require, full and complete statements of the finances under the control of each of them.

SEC. 13. *Be it further enacted,* That the duties of the other officers, servants and agents of the town shall be such as the town may by ordinance prescribe.

Jailer.

SEC. 14. *Be it further enacted,* That it shall be the duty of the jailor of Claiborne County to receive and keep in jail any person who may be committed to his charge for a breach of the by-laws or ordinances of said town, and all riotous and disorderly persons committed to his charge by the Town Marshal or other officer of the town, for which he shall receive such fees as may be contracted by the Town Council by and with his consent; *provided,* the corporation and Claiborne County contract as hereinbefore provided.

Collection of taxes.

SEC. 15. *Be it further enacted,* That when any tax or duty shall be levied or imposed by said corporation upon any real estate lying within said town of Cumberland Gap, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the Town Marshal make return of that fact under oath that the owner or owners have no personal property within the said town upon which to distrain for the said tax or duty, it shall be the duty of the Recorder, by and with the advice and consent of the council, to take such steps for the collection of said taxes or duties as are or may be provided for by the laws of the State.

Defaults.

SEC. 16. *Be it further enacted,* That if the Recorder or Town Marshal of said town shall fail to collect, or, after collecting, shall fail or refuse to pay over any moneys by either of them received for the use of said town, said Recorder or Marshal, as the case may be, shall be liable to be proceeded against by motion or suit at common law in the Circuit Court of Claiborne County, or any other court having jurisdiction of the person of such Recorder or Marshal, as the case may be; and it shall be the duty of such court to enter up judgment against such delinquent officer and his securities for the money so received, or that ought to have been collected in the name of Cumberland Gap, for the use of said corporation; *provided,* that if the proceedings be by motion such officers shall have five days' notice thereof.

Things forbidden.

SEC. 17. *Be it further enacted,* That the Board of Mayor and Aldermen are forbidden from making any appropriation of money or credit in the way of donation for festivities, pageants, excursions, or parades; nor such municipality be authorized to subscribe for stock in any railroad company or in any other corporation, or give or lend any money, aid or credit to any person or corporation whatsoever; and said municipality is hereby prohibited from employing or appropriating the moneys and taxes to be derived from sales of bonds hereinafter authorized, or from taxes to be assessed and collected in any other manner than for strictly corporate purposes, and from issuing any bonds excepting as hereinafter provided.

Improvement bonds.

SEC. 18. *Be it further enacted,* That from and after the passage of this Act it shall be lawful for Cumberland Gap to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed in the aggregate a sum which, taken with any debt of the corporation then existing and not provided for by prior assessment of taxes, shall equal ten per cent. of the value of the property subject to taxation by the corporation, as shown by assessment next preceding the submission of question of issuance of bonds to qualified voters as hereinafter required, provided said bonds or their proceeds shall be used solely for improving streets, avenues, and alleys, providing school buildings, fixtures, and schools, parks, and other corporate purposes.

SEC. 19. *Be it further enacted,* That all bonds so issued shall be of such denominations, bear such rate of interest, not exceeding six per cent. per annum, and be due at such time, not less than five nor more than thirty years from date, and be payable at such times and places as the Common Council may determine; *provided, however,* that all such bonds shall bear the same rate of interest.

SEC. 20. *Be it further enacted,* That the bonds thus provided for shall in no case be sold for less than par, and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation except the "sinking fund tax" provided for by the following section, and the school tax.

Sinking fund.

SEC. 21. *Be it further enacted,* That before any bonds shall be issued under the foregoing provisions the corporation shall provide by ordinance for a sinking fund wherewith to retire the bonds by levying a special tax, same to be designated the "sinking fund tax," the tax to run with the bonds and be collected annually, and used exclusively for the purpose levied, and to be sufficient, with its accumulations, as near as may be estimated, to meet or retire the principal indebtedness by its maturity.

Commissioners.

SEC. 22. *Be it further enacted,* That said corporation, through its council, before issuing the bonds, shall elect three persons, citizens, as Sinking Fund Commissioners, who shall be first so elected that one of said Commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years, so as to keep the number of Commissioners at three at all times.

SEC. 23. *Be it further enacted,* That said Commissioners shall take an oath faithfully to discharge their duties, and give bond under such penalty and conditions, and serve for such compensation as may be provided by ordinance.

SEC. 24. *Be it further enacted,* That such Commissioners shall receive sinking fund taxes and invest same from time to time in the bonds of the corporation, if any are redeemable, or other securities to be approved by council, until bonds become redeemable, and settle their accounts as may be required by ordinance; *provided, however,* that when any bond is purchased or redeemed it shall be cancelled or destroyed in the presence of the council, and record be kept of same.

SEC. 25. *Be it further enacted,* That the said bonds shall not be issued unless so authorized by two-thirds of the vote cast by qualified voters voting at an election to be held by order of the Board of Mayor and Aldermen at any time, and as many times as the Mayor and Aldermen may deem necessary.

Election.

SEC. 26. *Be it further enacted,* That the first election for Mayor and Aldermen under this Act shall be held by the Marshal or Chief of Police of Cumberland Gap on the second Saturday of October, 1891.

Present incumbents.

SEC. 27. *Be it further enacted,* That the Board of Mayor and Aldermen being in office at passage of this Act shall hold their offices until their successors are elected and qualified under this Act, and all laws and ordinances of said corporation now in force shall remain in force under this Act until modified, repealed or vacated.

Evidence in court.

SEC. 28. *Be it further enacted,* That this Act is declared to be a public law, and may be read in evidence in all courts of law and equity, and all ordinances and resolutions and proceedings of the Board of Mayor and Aldermen may be proved by the seal of the corporation, attested by the Recorder, and when printed and published by the authority of the council, the same shall be received as evidence in all courts and places without further proof when certified to by the Recorder.

SEC. 29. *Be it further enacted,* That all laws or parts of laws applying or relating to charter and powers of corporations of Cumberland Gap in conflict with provisions of this Act or charter hereby granted, are hereby repealed.

SEC. 30. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 194.

AN ACT to amend the charter of the town of Newbern, Tenn., so as to empower said town to issue coupon bonds in an amount not to exceed fifteen thousand dollars, for the purpose of constructing water-works for the town of Newbern, Tenn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Newbern, Tenn., be and the same is hereby amended so that the Mayor and Aldermen of said town of Newbern, in their corporate capacity, shall have and they are hereby vested with full power to issue, under the restrictions hereinafter provided, the interest-bearing coupon bonds of said city in an amount not to exceed, for the purpose herein contemplated, the sum of fifteen thousand dollars ($15,000), to be issued and used exclusively in the construction and building a system of water-works for said town of Newbern.

Coupon bonds.

SEC. 2. *Be it further enacted,* That said Mayor and Aldermen, under said restrictions, shall have power to issue said bonds in such amounts and at such time or times as they shall deem best.

Authority.

SEC. 3. *Be it further enacted,* That any and all bonds issued at any time under this Act shall be of such denominations, bear such rate of interest, not to exceed six per cent. interest per annum, and be due in such time, not less than five (5) nor more than thirty (30) years

Interest, etc.

from date, and be payable at such times and places as the corporate authorities may determine.

Coupons receivable.

SEC. 4. *Be it urther enacted,* That none of the bonds provided for in this Act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation, except the water-works bonds tax or the sinking fund tax herein provided for the payment of the bonds contemplated by this Act, and the city school tax.

Election.

SEC. 5. *Be it further enacted,* That before said Mayor and Aldermen shall issue any of the bonds contemplated by this Act they shall first order an election of the qualified voters of said city, and prescribe the rules and regulations therefor, and shall give notice of said election by publication in some newspaper published in said town at least once a week, for three consecutive weeks, or by hand bills publicly posted for at least twenty-one days, specifying in such notice the amount of the bonds proposed to be issued, and if two-thirds (⅔) of the persons voting at such election are in favor of the proposed water-works, then the said Mayor and Aldermen may issue the bonds accordingly to pay for the same, and have the work constructed. An election may be held at any time or as many times as the said Mayor and Aldermen may deem necessary.

Tax and sinking fund.

SEC. 6. *Be it further enacted,* That said Mayor and Aldermen shall each year levy a tax, not to exceed twenty cents on one hundred dollars, upon all the taxable property and privileges of said town to pay the interest on such bonds as may be issued hereunder; and to provide the necessary sinking fund to pay or redeem said bonds at or before maturity, the sinking fund to be used exclusively for the purpose levied.

Commissioners

SEC. 7. *Be it further enacted,* That before any of said bonds shall be issued the said Mayor and Aldermen shall elect a board of three commissioners, to be known as "Sinking Fund Commissioners," who shall hold their office for three years, and until their successors are elected and qualified, and to be so elected that one of said Commissioners shall be elected for one year, one for two years, and one for three years; and every year thereafter one shall be elected to serve three years. Said Commissioners shall, before entering upon the discharge of their duties, take an oath before a justice of the peace faithfully to discharge their duties, and shall give bond duly approved by said Mayor and Aldermen, and otherwise qualify themselves and receive such compensation as the Mayor and Aldermen may provide by ordinance. Said Commissioners shall receive from the collector of taxes all the sinking fund tax, and shall invest the same from time to time in the bonds of the corporation here contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct; *provided, however,* that when such bonds of the city are purchased or invested in by the Commissioners they shall cancel the same in the presence of the Board of Mayor and Aldermen, in such manner as may be directed by ordinance.

SEC. 8. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 195.

AN ACT for the benefit and protection of Orphan, Helpless, Wayward, and Abandoned Children.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee,* That any Judge or Chairman of a County Court in this State may cause to be brought before the Court any child between the age of eight and eighteen years that comes within any of the following descriptions, to wit: Commitments.

1. That is begging to receive alms, whether openly or under pretense of selling or offering for sale anything, but not when the selling is *bona fide* and not a pretense or cover for begging or receiving alms.

2. That is found wandering, and not having any home or settled place of abode.

3. That has no proper or sufficient guardianship to care for its physical, moral and mental welfare, to at

least such a degree as will probably save the child from pauperism, lewdness and crime.

4. That is found destitute, either being an orphan, or having a parent or parents undergoing imprisonment or confined in a lunatic asylum, or where both parents are habitual drunkards, or where the only living parent is a habitual drunkard, and any child of such parent is not properly supported and controlled.

5. That frequents the company of lewd, wanton or lascivious persons in speech or behavior, or notorious resorts of bad character.

6. That is found wandering in streets, alleys or public places, with no means of support.

7. That has been abandoned in any way by parent or parents, or guardian, and has no means of support, and with idle habits; and if it shall appear to the satisfaction of the said County Court that it would be manifestly for the interest of said child that it be committed to the Tennessee Industrial School, the Court will so order and send the child to said school, to be held by it under the charter and by-laws of said school.

Voluntary pupils.

SEC. 2. *Be it further enacted*, That said Industrial School may receive any child placed in its care and keeping by its parent or parents without the authority of any court; and said school may keep and care for said child until it is twenty-one years of age, unless sooner taken away by the request of its parent or parents, and released under the authority and by-laws of said school.

Uncontrolable children.

SEC. 3. *Be it further enacted*, That the parent or parents may, and guardians other than parents must, invoke the authority of the County Court when they desire to commit any child to said school, on the ground that said parent or parents, or guardian, or those having the child in charge are unable to control the child; and this is hereby made a ground for committing a child to said school; *provided*, it appear to the satisfaction of the Court or officer before whom said child is brought for commitment that the commitment would probably be for the child's interest and welfare. But said Industrial School shall not receive any child under this or the preceding section until its parent or parents, or guardians or persons having the child in charge, shall satisfactorily agree with the officers of said school to supply sufficient funds for the maintenance of the child therein during its stay, and shall further agree to abide by all the rules, bylaws and requirements of said Industrial School.

Maintenance.

SEC. 4. *Be it further enacted*, That no child shall be committed to said school or received or retained therein on any ground other than the one single ground that the interest and welfare of the child will be thereby probably promoted.

Control.

SEC. 5. *Be it further enacted,* That from the time of the lawful reception of any child into the school, and during its stay, the school shall have exclusive care, custody and control of said child until it shall be discharged therefrom.

Age limits.

SEC. 6. *Be it further enacted,* That no child under eight or over sixteen years of age, in case of females, and under eight and over eighteen, in case of males, shall be committed to said school.

Term.

SEC. 7. *Be it further enacted,* That whenever any child shall be committed to said school as aforesaid, the effect of that commitment shall be to commit the child until he or she is twenty-one years of age, unless sooner discharged by the officers of said school pursuant to its by-laws, who shall have authority to sooner discharge any child from the school, whenever, in their judgment, it shall be for the interest of the child to do so.

Duties of officers.

SEC. 8. *Be it further enacted,* That the officers and managers of said school shall receive and take into it all children committed thereto by competent authority as aforesaid, and shall cause all children in such school to be instructed in such branches of useful knowledge as may be suited to their years and capacities, and shall cause the girls to be especially taught domestic vocations, such as sewing, mending, knitting and house-keeping in all its departments. The boys shall be taught such useful trades as the board may direct, and all children in said school shall be taught according to the course of the common public schools in this State.

SEC. 9. *Be it further enacted,* That any commitment under the provisions of this Act shall be full, sufficient and competent authority to the officers and agents of said school for the detention and keeping of any child therein.

Support.

SEC. 10. *Be it further enacted,* That the expenses of said school shall be paid as follows, to wit: For each inmate of said institution, which may be lawfully committed, under the pro rata to which each county may be entitled, the State will pay the sum of one hundred dollars per annum, quarterly, upon the sworn statement of the Superintendent of said institution, showing the number of children in said school, the county from which sent, and the number to which said county is entitled. Any child committed to said school as a pay ward shall be paid for by the party committing it at the rate of one hundred dollars per annum, payable monthly or quarterly in advance, as may be agreed upon by the officers of said institution when the child is committed.

Directors.

SEC. 11. *Be it further enacted,* That the Board of Directors of said institution shall consist of seven persons, two from the Eastern, two from the Western, and three from the Middle Division of the State, who shall hold their offices two for two years, two for four years, and three for six years, beside the Governor, Comptroller, Secretary of State, and Treasurer, who shall be *ex officio* directors. The first Board of Directors shall be nominated by the Governor and confirmed by the Senate. All vacancies occurring in the board shall be filled by nominations made by the remaining members and confirmed by the Senate. Such Board of Directors shall elect a President, Secretary and Treasurer, and may, by by-laws, provide for such other officers, agents and committees as to them may seem necessary, fix the term of office of the President and other officers, and make all needful rules and regulations not inconsistent with law for the government of said institution. The officers and directors shall make biennial report of their action, and the condition of the institution, to the General Assembly of the State. The Treasurer, before receiving any money, shall give bond, with surety or sureties satisfactory to the Governor, in a penal sum to be fixed by the Governor, conditioned to faithfully keep and account for said money so appropriated, and all other money belonging to the institution received by him.

Treasurer's bond.

Races separated.

SEC. 12. *Be it further enacted,* That the children of the white and colored races which may be committed to said school shall be kept entirely separate and apart from each other in every way, and they shall not be associated together on any pretense whatever, and the sexes shall have separate apartments.

Recommittals.

SEC. 13. *Be it further enacted,* That any child who shall have been conditionally released from said school, if said condition shall be breached, may be returned thereto and again taken charge of by the officers and managers of said school, under the original commitment until the child is twenty-one years of age, in the same manner and to the same extent as if there had been no release in the case.

SEC. 14. *Be it further enacted,* That each county in this State, in proportion to its scholastic population, shall

Quota of counties.

be entitled to the benefit of said school, and the officers of said school shall, from time to time as vacancies occur, notify the County Court of each county of the number of places in said school to which it is entitled. That hereafter the basis of representation for scholars shall be 1,100 scholastic population between six and sixteen years of age and majority fraction thereof for each scholar, but each county shall be entitled to at least one scholar. And that the scholarship in this institution shall be governed by the scholastic census of 1890. *Provided*, that any county sending more than its pro rata share to said institution shall pay the same amount for each child so sent that the State pays, viz.: One hundred dollars per annum.

SEC. 15. *Be it further enacted*, That pupils at this school shall not be enumerated as a part of the scholastic population of Davidson County.

SEC. 16. *Be it further enacted*, That all laws in conflict with this Act be and the same are hereby repealed.

SEC. 17. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 196.

AN ACT to amend "An Act to abolish the Quorum Courts and devolve the duties and jurisdiction and powers thereof on the Chairmen of the County Courts," Chapter 70 of the Acts of 1875, and to change the time of holding the County Courts of Pickett County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of Chapter 70 of the Acts of 1875, passed March 20, 1875, be so amended as to change the time of holding the monthly County Courts of Pickett County to the second Monday, and such subsequent days as may be necessary in each month, instead of the first Monday, as is provided in said Act.

SEC. 2. *Be it further enacted*, That this Act take effect beginning with the second Monday in April, 1891, the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 197.

AN ACT to enable Johnson City to issue bonds for the purpose of securing, fostering and encouraging manufacturing and business enterprises.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of Johnson City, Tennessee, be and they are hereby authorized and empowered in their corporate capacity to issue interest bearing bonds of said town, signed by the Mayor and countersigned by the Recorder of said town, to an amount not exceeding one hundred thousand dol- Authority.

lars ($100,000), the proceeds of which shall be used exclusively for the purpose of securing, establishing and building up manufacturing and business enterprises in said town, as the Mayor and Aldermen of said town may from time to time direct; *provided*, that said bonds shall not be issued until the object for which they are asked shall be clearly and explicitly stated, and an election is held in said town to determine whether or not the legal voters of said town favor the issuance of said bonds.

Election. SEC. 2. *Be it further enacted*, That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold the same, and that said election shall be held under such regulations and restrictions as the said Mayor and Aldermen may, by ordinance, establish.

Voters. SEC. 3. *Be it further enacted*, That all persons living within the limits of said town, and who are legal voters according to the laws of Tennessee, and who have been residing within the limits of the corporation of Johnson City for thirty days preceding the day of said election, and being *bona fide* citizens of said town, and all persons owning real estate within the limits of said town of Johnson City, who do not reside within the same, shall be entitled to vote at said election.

Majority. SEC. 4. *Be it further enacted*, That if the number of votes cast at said election in favor of the issuance of said bonds be equal to three-fourths of all the votes cast, then the said bonds may be issued.

Bonds. SEC. 5. *Be it further enacted*, That the bonds herein provided for may be executed of the denomination of one hundred dollars ($100) to one thousand dollars, at the discretion of said Mayor and Aldermen, and shall mature at times from five to thirty years, as may be fixed by ordinance, and shall bear interest at such rate as said Mayor and Aldermen may adopt; *provided*, it shall not exceed six per cent. per annum, said bonds to be issued with coupons attached. The taxable property situated within the corporation limits of Johnson City shall be bound to the holders of said bonds for the payment of the principal and interest as the same shall mature.

Taxes. SEC. 6. *Be it further enacted*, That said Mayor and Aldermen shall, by ordinance, provide for the assessment, levy and collection of such taxes as may be necessary to pay said bonds so issued, and the accrued interest thereon, and may provide a sinking fund for that purpose.

Sec. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 198.

AN ACT to give consent to the acquirement by the United States by purchase or condemnation in the courts of competent jurisdiction, of such lands as may be required in the erection of a building in Clarksville, Montgomery County, Tennessee, and to grant cession of jurisdiction over such lands so acquired.

Whereas, The Federal Congress has made an appropriation for the purpose of erecting a public building in Clarksville, Montgomery County, Tennessee; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the consent of the Legislature of the State of Tennessee be and is hereby given to the acquisition by the United States by condemnation or purchase of any land needed for such building, if proceedings for condemnation or purchase are expedient or necessary, and are instituted and prosecuted to termination by the United States.

Sec. 2. *Be it further enacted,* That upon the registration of a judgment or decree of condemnation of a court of competent jurisdiction in the Register's office of the county where such lands lie, the jurisdiction over the tracts of land as severally decided in such decree or judgment of condemnation or purchase be and the same shall be thereby and thenceforward ceded and granted to the United States.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 199.

AN ACT to create and regulate the office of County Judge for Marion County, and to define his duties and Jurisdiction.

Term.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Marion County a person learned in the law to be styled the County Judge, who shall hold his office for the term of eight years from the date of his commission, except the first Judge elected under the provisions of this Act, who shall hold his commission until the next regular election, or until his successor shall be elected and qualified.

Elections.

Sec. 2. *Be it further enacted,* That the first election of County Judge shall be held at the same place by the same officers that other county elections are held, and under the same regulations prescribed for county elections. All subsequent elections shall be held at the same time and place of the county elections.

Qualifications.

Sec. 3. *Be it further enacted,* That the County Judge shall be commissioned in the same manner as other Judges of the State, and shall be thirty years old, and a person learned in the law of the State of Tennessee, and a resident citizen of the county for which he is elected, and a freeholder in said county; and, before entering upon the duties of the office, he shall take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee, and an oath faithfully to discharge the duties of the office, and shall reside at the county seat during the time he is County Judge.

Abolished. Sec. 4. *Be it further enacted,* That the Quorum Court of said county, and the office of chairman thereof, is hereby abolished, and the Judge shall have and exercise all the jurisdiction and powers now belonging to said Quorum Court. Duties. He shall preside over the County Court at its sessions, which shall be held as herinafter provided, and shall have and exercise the same powers, jurisdiction, and authority which now belongs to or is exercised by the Chairman of the County Court, and shall perform the same duties as are required by said Chairman either in or out of said County Court, whether in session or not, and such other duties and jurisdiction as may be conferred by this Act.

Court. Sec. 5. *Be it further enacted,* That the County Court to be held by the County Judge shall hold its regular sessions on the first Monday of each month, and said court shall sit from day to day, so long as the business thereof may require, and shall have power to keep order by imposing such fines as will effect that purpose.

Jurisdiction. Sec. 6. *Be it further enacted,* That all the jurisdiction and power of the present County Court over administrators, executors, guardians, wards, trustees, wills, dower, and partition, sale or division of land, and of all testamentary and administrative matters or subjects connected therewith, and questions of lunacy, and all control of county roads, county convicts and the workhouses of the county are abolished, and the same are hereby transferred and given to the County Court, to be held by the County Judge, who shall have all jurisdiction, power, and authority now possessed by the County Court over all these questions and all other jurisdiction, power and authority over all these subjects which may be necessary and proper in the exercise thereof; *provided,* that either party may have a right of appeal from any judgment, order, decree or action of said County Judge as is allowed now by the laws of the State in other cases.

Clerk. Sec. 7. *Be it further enacted,* That the County Clerk shall be and continue the Clerk of the County Court to be held by the County Judge, and shall have all the powers, jurisdiction and authority now possessed by him.

Financial Sec. 8. *Be it further enacted,* That the County Judge shall be the accounting officer and general agent of the county, and as such shall have power, and it shall be his duty: 1st. To have the care and custody of all the county property; 2d. To control all books, papers and instruments pertaining to his office and the county; 3d. To audit all claims for money against the county; 4th. To draw and have sealed with the seal of the County Court, all warrants upon the County Treasury; 5th. To audit and settle the accounts of the County Trustee, and those of any other collector or receiver of county revenue, taxes or income, payable in the county treasury; and those of any other person intrusted to receive or expend any other money of the county, and to require said officers or persons to render and settle their accounts, as required by law, or the authority under which they may act; 6th. To enter in a book, to be known as the warrant-book, in the order of issuance, the number, date, amount and name of the drawee of each warrant drawn upon the treasury; 7th. To keep in a suitable book an account of the receipts and expenditures of the county in such a manner as to show clearly the assets of the county, and the debts payable to and by it, balancing said accounts annually, and generally to superintend the financial concerns of the county; 8th. No money shall be drawn out of the county treasury except upon a warrant issued by the County Judge; 9th. The duties directed to be performed by the Clerk of the County Court in the administration of insolvent estates shall be as heretofore, except that which is judicial in its character; 10th. The Judge has jurisdiction of all roads and questions in regard to the same, of this county, and may appoint such committees from the County Court to look after and superintend the same as it may deem proper; 11th. He shall have charge of the county prisons and work-houses, and appoint suitable superintendents, guards, officers and attaches necessary to the working, using and conducting the same, as may be necessary to the full and complete administration of said office.

Docket.

Sec. 9. *Be it further enacted,* That hereafter it shall be the duty of the Clerk of said County Court to keep a docket of all the cases to be tried in said county as are now kept by the clerks of the Circuit Courts.

Suits.

Sec. 10. *Be it further enacted,* That it shall be the duty of said clerks to enter upon said docket all suits, motions and actions that may come before said court for trial, and that no suit, action or motion before said court shall be tried except it appears on said docket, and all suits, motions and actions shall be tried in order as they appear on said docket.

Sec. 11. *Be it further enacted,* That the County Judge shall have power at any time, whether in term or vacation, to appoint an agent or attorney to take care of the public property, and that he may allow and pay a reasonable compensation for their services; and that when he audits claims he shall issue his warrant upon the Trustee for the same in the manner laid down in the eighth Section of this Act. Attorney.

SEC. 12. *Be it further enacted,* That said County Judge shall not be precluded from practicing in the Supreme, Chancery, Circuit and Criminal Courts of the State, but shall not be permitted to act as counsel in any case going up from his own court.

SEC. 13 *Be it further enacted,* That whenever it shall so happen, from sickness or other cause, that the County Judge is unable to attend his court, then the Governor shall appoint some suitable person to hold the court until the disability is removed. Substitute.

SEC. 14. *Be it further enacted,* That the County Court, composed of the Justices of the Peace of the counties, shall meet on the first Mondays in January and August, and said County Judge shall preside over said court, and they have such jurisdiction as they now have by law, except where conferred by this Act on the Judge of the County Court. County Court.

SEC. 15. *Be it further enacted,* That the compensation of said County Judge shall be $500 per annum, and such other compensation as may be allowed him by the County Court, composed of the Justices, on the first Monday in January of each year as the financial officer of the county. Compensation.

SEC. 16. *Be it further enacted,* That immediately upon the passage of this Act the Governor shall appoint a County Judge for said county, justified as provided in this Act, who shall hold his office until the next election in this county. Appointment.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 200.

AN ACT to change the line between the counties of Benton and Henry.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter Sandy River shall be the dividing line between Benton and Henry counties, from the south boundary line of the Twenty-third Civil District of Henry County up said Sandy river to where the Carroll County line crosses said river.

SEC. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 201.

AN ACT to amend an Act entitled "An Act to reduce the Acts incorporating the City of Knoxville, and the various amendments thereto, to one Act, and to amend the same," passed and approved June 10, 1865, by authorizing the City Attorney of said city to charge a fee for the collection of delinquent taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That after the receipt by the City Attorney of the City of Knoxville of the list of delinquent taxes due said city each year, and duly certified to by the Comptroller of said city for collection as prescribed by law, said City Attorney shall be allowed a fee for such collection, to be paid by the owners of such property or from the proceeds of the sale of such property, the same as is allowed the Tax Attorney's of counties in Section

66, of Chapter 96, of the Acts of 1889, passed April 6, 1889, and approved April 8, 1889.

SEC. 2. *Be it further enacted,* That when any tax to secure which a bond was given is due and unpaid the said City of Knoxville, such bond shall be placed in the hands of said City Attorney by the Comptroller, and said City Attorney shall be allowed a fee of ten per cent. on the amount collected, and if suit is brought on said bond he shall be allowed an additional fee of five dollars, the same to be taxed to the delinquent.

SEC. 3. *Be it further enacted,* That all Acts and parts of Acts in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.
THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 202.

AN ACT to amend Chapter 121 of the Acts of 1889 by changing the name of the office of City Tax Collector and Book-keeper of the city of Knoxville to City Comptroller, and further defining the duties of the office.

Comptroller's duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 121 of the Acts of 1889, passed March 18, 1889, and approved March 21, 1889, be amended as follows: Whenever in said Act the name of Tax Collector or City Book-keeper appears it shall be stricken out and the name of City Comptroller inserted therein, and in addition to the other duties prescribed in said Act it shall be his duty to keep and maintain from time to time a full list of all persons employed for the city, and to keep the accounts of all persons furnishing the city supplies, or executing its contracts, or becoming a creditor of the city; and he may, for such purpose, accept as satisfactory evidence of such indebtedness of said city the certified pay-rolls and accounts of the Board of Public Works, Superintendent of the public schools or Treasurer of the Board of Education, and of any other city official duly authorized by ordinance to employ men or purchase supplies or merchandise or make contracts, and shall issue the warrants on the Treasurer of said city for the payment of all indebtedness of said city appearing in the manner herein prescribed, which warrants shall be countersigned by the Mayor, and to perform such other duties as may be prescribed by the Board of Mayor and Aldermen.

SEC. 2. *Be it further enacted*, That said Comptroller shall be empowered to administer oaths, and that every person, firm, company or corporation applying to said Comptroller for license to transact in said city any business for which a bond is required shall, before receiving such license, execute a bond to the Board of Mayor and Aldermen of said city in the sum prescribed by the ordinances of the city, not to exceed one thousand dollars, conditioned that such person, firm, company or corporation will render to said Comptroller at the expiration of said license, or if he ceases to do business before that time, then as soon as he ceases to do business, a true statement under oath, if it be for merchandising business, of the amount of taxable capital invested in such business and the amount of taxable merchandise or stock kept on hand during the period he was engaged in such business, and pay said Comptroller the tax thereon; and if it be for a business other than that of merchandizing then such person, firm, company or corporation shall, in the same manner as above prescribed, render to said Comptroller a true statement under oath of the amount of taxable business transacted, and pay said Comptroller the tax thereon; and if the statement herein required to be made under oath to said Comptroller be not considered just and correct by said Comptroller, he shall have the same power as is delegated to County Court Clerks in Subsection 2 of Section 22 of Chapter 96 of the Acts of 1889, passed April 6, 1889, and approved April 8, 1889, and it shall be his duty, after a full investigation in the manner prescribed in said section and subsection of Chapter 96, to correct and audit said statement.

Business licenses.

SEC. 3. *Be it further enacted*, That all Acts or parts of Acts in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 203.

AN ACT to amend Chapter 171 of the Acts of 1889, passed March 8, 1889, and approved April 2, 1889, entitled "An Act to be entitled an Act for the better protection of game in this State," so as to bring the county of Williamson under the provisions of said Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 171 of the Acts of 1889, passed March 8, 1889, and approved April 2, 1889, entitled "An Act to be entitled an Act for the better protection of game in this State," be and the same is hereby amended by striking out the name "Williamson" from this list of excepted counties in Section 7 of said Act and that the provisions of said Act to be and the same are hereby made applicable to the said County of Williamson.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 204.

AN ACT to establish a Commission to make or have made instrumental surveys for locating a route for a canal or canals connecting the Cumberland and Tennessee Rivers, and the Tennessee and Mississippi Rivers, and to collate all facts of interest to be laid before the Congress of the United States.

Preamble.

WHEREAS, the rapid development of the agricultural and industrial enterprises, the opening and working of banks of coal and iron mines and other mineral interests, and the increasing population swelling commerce to a vast volume along the Cumberland and Tennessee Rivers, demands improved waterways and greater facilities for cheap transportation, and a shorter route to the Gulf and out to sea; and,

WHEREAS, the tendencies of the times are to combine all railroads into great and powerful systems and trusts, so as to control arbitrarily the freighting of all these products, and fasten oppressive burdens upon our people, and believing as we do that it is the province of the General Government to open and keep open for navigation our great waterways for the free use of all peoples, and to construct such improvements to them as will give to all a great highway, open and free, through which our food products, our grain, our meats, our implements and machinery, all the fruits of our toil and labor may be floated to a market at the least possible cost and tax, and thereby build up for the humblest of our people a safeguard against monopoly and the enslaving tyranny of powerful trusts and combinations; therefore,

Commission.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor is hereby empowered and directed to appoint three Commissioners, one from each grand division of the State, to be denominated "Commissioners of Improvements to waterways," one of whom shall be designated as Chairman.

Surveys.

SEC. 2. *Be it further enacted,* That it shall be the duty of these Commissioners to make, or have made, accurate and scientific instrumental surveys of one or more routes for locating and constructing canals connecting the Tennessee and Mississippi Rivers, and the Cumberland with the Tennessee River, the points of location of these canals to be determined by these Commissioners from the actual instrumental surveys.

SEC. 3. *Be it further enacted,* That after selecting the most practicable and best route this Commission shall make, or have made all necessary maps, drawings, calculations and working estimates, showing exact locations and plans, with careful estimates of cost of construction. Maps.

SEC. 4. *Be it further enacted,* That these Commissioners shall enter upon the discharge of their duties as soon after appointment as possible, and complete same as rapidly as practicable, and shall make a comprehensive and full report of the results of their labors and investigations to the Governor. Report.

SEC. 5. *Be it further enacted,* That the Governor, upon receipt of this report, shall cause a copy of the same to be transmitted to each of our Senators and Representatives in Congress, and instruct them to lay it before the Congress of the United States, and to use every endeavor to have the General Government make the necessary appropriations for the improvements therein suggested, and the completion of a work of such national importance. Report to Congressmen.

SEC. 6. *Be it further enacted,* That these Commissioners shall obtain and collate all information bearing upon the facts of these canals being works of necessity and national importance, and being demanded by the increasing tonnage created by the rapidly developing mines, foundries, quarries and the multiplication of great industrial enterprises along the border of these two rivers, the Cumberland and Tennessee, seeking a cheap rate of freight. Information.

SEC. 7. *Be it further enacted,* That there shall be appropriated out of such general funds as may be in the Treasury the sum of five thousand dollars to defray the compensation and necessary expenses of these Commissioners, and all other expenses such as these Commissioners shall find necessary in the actual prosecution and completion of their labors and duties of office as herein set forth. Appropriation

SEC. 8. *Be it further enacted,* That the Chairman of this Commission shall submit to the Governor, from time to time, an itemized statement of compensation allowed and expenses incurred by the Commissioners, and upon his approval the Treasurer shall pay the same, it being understood that the sum herein appropriated shall be full and sufficient, and that the way and manner of its expenditure shall be left entirely to the discretion of the Commissioners. Expenses.

SEC. 9. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 205.

An Act to establish a school district in Wilson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an additional school district be established in Wilson County, with the following boundaries: Beginning at Lafayette Chandlers, near the old Lebanon and Franklin road, running west with said road to the Hooker farm on the same; thence north to the north-west corner of the Isham Davis land; thence east to Ed Pendleton's farm on the Gladeville and Leeville road in the Twenty-second Civil District; thence south to B. P. Woodall's farm on the Central Turnpike; thence west to the beginning, said boundaries including a part of the Twenty-second and of the Twenty-fourth Civil Districts of said county.

SEC. 2. *Be it further enacted,* That said school district shall have all the emoluments, rights, privileges, and be governed by the same laws and rules and by the same officers that regulate and govern the other districts of the county, and the Sheriff shall hold an election on the regularly appointed days for the purpose of electing school directors for said district.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 206.

AN ACT to create and regulate the office of County Judge of Putnam County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Putnam County, at the regular election for county officers, on the first Thursday in August, 1892, and every eight years thereafter, a County Judge, who shall be a man of good moral character, learned in the law, thirty years of age, and a citizen of said county. It shall be the duty of the person holding the election to certify the same to the Governor, who shall commission the person elected as County Judge for the term of eight years, as judges are now commissioned. Before entering upon the discharge of his duties the County Judge appointed or elected under this Act shall take and subscribe the oath or affirmation required by law of other judges in this State. Judge. Oath.

SEC. 2. *Be it further enacted,* That the County Judge of Putnam County shall have and exercise all the rights, privileges, powers and jurisdiction now conferred by law on the Chairman of the County Court of Putnam County, and by existing laws upon County Judges in this State, and shall be subject to all the restrictions, and comply with all the requirements of all laws applicable to such Chairmen or County Judges, and shall perform all the duties imposed by law upon County Judges. Jurisdiction.

SEC. 3. *Be it further enacted,* That Chapter 70 of the Acts of 1875 be and the same is hereby amended so as to conform to this Act, and the office of Chairman of the County Court of Putnam County is hereby abolished from and after the first Monday in May, 1891.

SEC. 4. *Be it further enacted,* That the Governor shall appoint a County Judge under this Act who shall hold said office until his successor is elected and qualified under Section 1 of this Act his term to begin the first Monday in May, 1891, and shall fill vacancies occurring at any time in said office as provided by law. Appointment.

SEC 5. *Be it further enacted,* That said County Judge shall have power to adjourn the County Court of said county from day to day, or from time to time, as the public business may demand; *provided,* that final ad- Adjournment.

journment shall always occur before the succeeding term.

Salary. SEC. 6. *Be it further enacted*, That the County Judge of Putnam County shall receive a salary of three hundred and fifty ($350) dollars annually for his services, to be paid quarterly on his warrant out of the revenue of the county.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 207.

AN ACT to amend Chapter 114 of the Acts of 1883, entitled "An to provide for the creation and organization and defining the powers of municipal corporations embracing territories of cities having a population of thirty-six thousand and upward according to the Federal Census of 1880, or any subsequent Federal Census, whose charters have been abolished," so as to authorize municipal corporations organized under said Act to own and operate electric light works for purpose of lighting the public buildings, streets, and other public places in said cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 17 of Chapter 114 of the Acts of 1883, entitled "An Act to provide for the creation and organization and defining the powers of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upward, according to the Federal Census of 1880, or any subsequent Federal Census, whose charters have been abolished," be so amended as to add thereto the following subsection 40: To build or purchase and own and operate electric light works for the purpose of lighting public buildings, streets, and all other public places in the city.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 208.

AN ACT to amend an Act to change the times for holding the Circuit Courts of Warren and DeKalb Counties, being Chapter 214 of the Acts of 1889, passed April 3, 1889, approved April 4, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 214 of the Acts of the General Assembly of Tennessee, passed in the year 1889, be so amended that the Circuit Court for KeKalb County shall be held on the second Mondays of March, July and November, instead of the second Mondays of March and November, as provided by said Act, so as to allow three Circuit Courts for said county of DeKalb.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 209.

AN ACT to change the time for holding the Chancery Court for Warren County, and to amend Chapter 214 of the Act passed April 3, 1889, and to fix the time for holding said court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1, Chapter 214, of an Act passed April 3, 1889, be so amended that the Chancery Court for Warren County shall be held on the fourth Monday of May and third Monday of November, instead of fourth Monday in said months, as fixed by said Act of 1889, Chapter 214.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 210.

AN ACT to establish a school district to be known as School District No. 32, in Wilson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a school district be formed in Wilson County consisting of parts of Civil Districts Nos. 24 and 25, and bounded as follows: Beginning at the north-west corner of the lands of Matt Peach, thence east to Joe Bryant's lands, thence south-east to Bass Harkreader's lands, thence south to John Robin's, thence south to Jennie Currey's lands, thence south-west to W. H. Carter's lands, thence west to John Burnett's lands, thence west with the Rutherford County line to the Davidson County line to D. C. Jenkin's lands, thence east to the beginning at the corner of said Matt Peach.

SEC. 2. *Be it further enacted,* That said school district shall have all the emoluments, rights, privileges, and be governed by the same laws and rules and officers that regulate and govern the other districts of the county; and the Sheriff shall hold an election on the regularly appointed days for the purpose of electing School Directors for said district.

SEC. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be hereby repealed, and that the same shall take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 211.

AN ACT to enable County Courts to inaugurate general improvements in Public Roads, to carry same into effect and to provide the means for paying for said improvements by issuance of County bonds.

Commissioners

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any County Court, a majority of the justices of the county assenting thereto, may elect or appoint three (3) Commissioners authorized to employ engineers and other necessary and expert service to survey, inspect and classify all roads which have already been laid off or accepted by the county as Public roads, and make maps and charts of same, showing the changes and improvements which public interest requires to be made on said roads; also survey, inspect, lay off and classify any new road or roads, or extension of old roads which, in the opinion of the commission, the public welfare requires to be opened or extended, said improvements to include grading, filling, extending, metaling, ditching, widening, bridging, draining and ditching, piping, sewering and crossings of said roads. Also all

Surveys.

necessary material required in the construction of the road, roads and crossings. And said commission shall ascertain and report in detail the probable or approximate cost of making such improvements, together with the probable damages which will be done to adjacent lands by such changes. Estimates.

SEC. 2. *Be it further enacted,* That said commission shall make a full report of its acts and recommendations to the County Court at its regular quarterly sessions, attaching thereto maps, charts, plans and specifications, itemized and showing in detail the estimated costs of the proposed improvements. Report.

SEC. 3. *Be it further enacted,* That when the report of the commission is submitted to the County Court the court shall take a vote thereon, and if a majority of the justices vote for adopting the report of the Commissioners the same shall be entered of record and the report spread upon the minutes. Adoption.

SEC. 4. *Be it further enacted,* The County Court shall thereupon order the Sheriff to open and hold an election at every voting place established by law in such county as other elections are held, and his certificate of the result of such election to the County Court shall name in writing every established voting place at which said election was opened and held, and every one at which said election was not held. If it shall appear that the election was not opened and held in every voting place, the said election shall be declared null and void and of no effect, unless it shall be made to appear to the satisfaction of the County Court that said officer or his deputy was present at such voting place on the day and hour required by law, and did endeavor to procure electors for judges and clerks to hold said election, and that he was positively unable to do so, and the election at said precinct could not be held for the want of judges and clerks to hold it. Election.

SEC. 5. *Be it further enacted,* That at the election thus held, those voters who are in favor of the proposed road improvements will put on their tickets the words "For the Improvements," those opposed, "Against the Improvements." Ballots.

SEC. 6. *Be it further enacted,* That if the votes cast at said election in favor of the proposed road improvements should be equal to two-thirds of the entire vote of the county, taking the last State official enumeration as a basis (or in case of a general election since said enumeration, which shows an increased number of voters over Majority.

said enumeration, then said general election shall be taken as the basis), the County Court shall have full power to make and create all necessary orders, bonds and payments in order tc carry out and make the improvements.

Bonds.

SEC. 7. *Be it further enacted*, That thereupon the County Court shall order issue of the bonds of the county in denominations of not more than one thousand dollars each, payable in not less than (20) and not more than thirty (30) years, with interest coupons attached, payable semi-annually, and the bonds shall not bear a greater rate of interest than six (6) per centum per annum. No county shall issue bonds for such road improvements in an amount exceeding the gross estimated costs of the improvements, as reported by the commissioners, by more than ten per cent (10). The bonds herein provided for shall not at any time exceed in amount five per centum (5) of aggregate value of property in the county, subject to taxation as per the next last assessment for State and county purposes.

Commissioners

SEC. 8. *Be it further enacted*, That when the financial arrangements shall have been made the County Court shall elect or appoint three (3) Commissioners who shall advertise for bids for said work as a whole, or in sections or parts, and give the same to the lowest responsible bidder or bidders, but no bid shall be considered or accepted which is higher than the estimated price or worth named in the report as adopted by the County Court. And said Commissioners may employ engineers or other necessary assistance to aid in superintending and supervising the work. All work shall be done subject to the inspection of the Commissioners or the engineers, or assistants by them appointed. The work done according to the specifications laid down shall be approved and accepted by the Commissioners, and work not up to the specifications shall be disapproved and rejected by the Commissioners.

Proceeds of bonds.

SEC. 9. *Be it further enacted*, That the proceeds of the bonds issued for road improvements shall be paid into the county treasury as a special fund, to be kept separate and apart from all other accounts until the purposes for which the fund was raised is complete. If, after completion of the improvements for which the fund was raised, there remains a surplus, this may, by order of the County Court, be turned over to the general fund. The County Trustee shall give bond for this fund, and pay the same out upon the estimates of the Commissioners with orders attached from time to time as the work progresses; and the Commissioners shall reserve at least ten per cent (10) of estimates to secure the final performance of contracts, which shall not be paid over until the work is completed and accepted by the Commissioners. The Commissioners may also require satisfactory bonds of contractors to comply with contracts. The Commissioners, as work progresses, shall from term to term make full and detailed reports to the County Court at each quarterly session, and, at completion of the work, shall make final report to the said court.

Sinking fund.

SEC. 10. *Be it further enacted,* That the County Court shall include in its tax asssessment an amount sufficient to meet the interest on said bonds and provide a sinking fund for the payment of the same. And no bond herein provided for shall be sold for less than its face value.

SEC. 11. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 212.

AN ACT to authorize the city of Kingston, Roane County, to issue bonds for the purpose of improving streets and lighting the city with electricity.

Amount.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the city of Kingston, Roane County, is empowered and authorized, through its corporate authorities, to issue bonds, not exceeding fifty thousand dollars ($50,000) in amount, for the purpose of street improvements and lighting the city with electricity.

Term.

SEC. 2. *Be it further enacted,* That said bonds shall mature in 30 years from date of issuance; they shall bear not more than 6 per cent. interest, and shall not be sold at less than their face value.

SEC. 3. *Be it further enacted,* That before said bonds shall be issued under this Act an election must be held in said city of Kingston, after a notice of sixty days, and if it shall be determined by a majority of the qualified voters of said city that they favor the issuance of said bonds for said purposes, then said bonds shall be issued under the provisions of this Act. Election.

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 213.

AN ACT to authorize the Trustees of Jefferson Male Academy to sell said Jefferson Male Academy lot and building.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Trustees of Jefferson Male Academy, of Sullivan County, Tennessee, be and they are hereby authorized to sell said academy lot and building for the best price possible, and to execute to the purchaser an absolute deed to the same; and the said Trustees are hereby authorized and directed to dispose of the fund arising from said sale in whatever manner the County Court of Sullivan County (in quarterly term) may order.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 214.

AN ACT to repeal Chapter 196, and Section 1, of the Acts of 1887, that changes the line between the counties of Monroe and Loudon.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 196 and Section 1 of the Acts of 1887, that change the line between the counties of Monroe and Loudon, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 215.

AN ACT to contract the limits within the territory of the municipality of Halls, Lauderdale County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the territory of the municipality of the town of Halls, in Lauderdale County, Tennesssee, be contracted by excluding from its boundaries the following territory: By cutting off so much of the west end of the same as is included within the limits of a line run as follows: Beginning at J. N. Johnson's south-west corner, runs thence east to J. W. Johnson's sourth-east corner; thence north to S. K. Tigrett's north boundary line; thence west far enough to leave Booker Young in the corporation; thence north to the corporation line; thence west to north-west corporation corner; thence south with corporation line to Double Bridges and Hall's Station road on Tigrett's south boundary line; thence east to the street running north with John Scott's, J. F. Young's and B. C. Simmons' east boundary line; thence south with said street to Dr. J. N. Johnson's north-west corner; thence along the line between J. W. Johnson and J. H. Farmer to J. N. Johnson's south-west corner, or the beginning.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 216.

AN ACT to create a new school district out of parts of Smith and Putnam Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a new school district be established from parts of Smith and Putnam Counties, consisting of the following territory, viz.: The farms of Phi. Apples, C. F. Burton, R. G. Apple, James and Robert McKinly, B. F. Brinly and John Watts, all of Putnam County, and the farms of Wirt and A. P. Apple, Dr. F. M. Amonnett, J. C. and James Fletcher and W. C. Apple, all of Smith County.

SEC. 2. *Be it further enacted,* That the school district created by Section 1 of this Act have all the emoluments, rights, privileges, and be governed by the same laws and rules that regulate and govern other school districts.

SEC. 3. *Be it further enacted,* That there shall be a board of three Directors elected from the fractional part of each county comprising said school district, to be elected as other Directors, and who shall have the same powers as other Directors, and shall act in an associated capacity in the government of said school district; provided that each county composing the said district shall pay upon the warrant of its respective directors each year the amount per capita due its fraction part of said district.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 217.

AN ACT to provide for the issuance and sale at or above par a sufficient number of fifteen years four per cent. bonds to redeem the five and a quarter and six per cent. settlement bonds issued, or that may hereafter be issued under Chapter 84, Acts of 1883.

WHEREAS, under Chapter 84, Acts of the General Assembly of the State of Tennessee, 1883, provisions were made for the settlement of the State's bonded indebtedness; and,

WHEREAS, under said Act certain bonds, known as State Debt proper, bear five, five and a quarter and six per cent. interest; and,

WHEREAS, since that time the credit of the State has been successfully established, and it is clearly to the interest of the tax-payers of the State of Tennessee that a lower rate of interest-bearing bonds should be floated in order to call in the five, five and a quarter and six per cent. settlement bonds issued under said Act, which right is expressly reserved by the State; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Funding Board, composed of the Governor, Comptroller and Treasurer, be and they are hereby authorized and directed, as soon after the passage of this Act as possible, to negotiate the sale of a sufficient number of the bonds of the State (with coupons attached) bearing four per cent. interest per annum and running for fifteen years, at not less than par,

Term and rate.

to call in and redeem at par the five, five and a quarter and six per cent. interest-bearing bonds of the State issued, or that may hereafter be issued, under Chapter 84 Acts of 1883, and known as State Debt Proper Bonds.

Bonds

SEC. 2. *Be it further enacted,* That as soon as negotiations required to be made by the Funding Board under Section 1 of this Act have been completed, then shall be prepared, under the discretion of the Funding Board, a sufficient number of well engraved four per cent. bonds, with coupons attached, and bearing the signatures of the Comptroller and Treasurer, and made payable in the city of New York, which said board is hereby authorized to sell, at not less than par, to redeem and call in the five, five and a quarter and six per cent. settlement bonds issued, or that may hereafter be issued, under Chapter 84 Acts of 1883, and known as State Debt Proper Bonds.

Calls.

SEC. 3. *Be it further enacted,* That when said four per cent. bonds are sold the Comptroller shall call, by advertisement in some daily newspaper in the State, for the redemption of the five, five and a quarter and six per cent. bonds specified in this Act, and the interest on said bonds shall cease at the expiration of sixty days after said call is made.

Recor

Fees.

SEC. 4. *Be it further enacted,* That said bonds shall be recorded in a book kept for that purpose in the State Comptroller's office, and shall bear the seal of the State, and the fees of the Governor, Comptroller, Treasurer and Secretary of State shall be $1 each for each $1,000 bond issued, fifty cents each for each bond issued for less than $1,000, and a sufficient appropriation is hereby made to carry out the provisions of this Act.

SEC. 5. *Be it further enacted,* That nothing in this Act shall be construed to be in conflict with Chapter 84, Acts of 1883, providing for the settlement of the State debt, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 218.

AN ACT to declare unlawful all trusts, pools, contracts, arrangements and combinations in the restraint of trade, production, manufacture or sale, to fix the liability of and punish persons and corporations concerned therein.

Unlawful.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all trusts, pools, contracts, arrangements or combinations now existing or hereafter made with a view or which tend to prevent full and free competition in the production, manufacture or sale of any article of domestic growth, production or manufacture, or in the importation or sale of any article of domestic growth, production or manufacture, or in the importation or sale of any article grown, produced or manufactured in any other State or country or which are designated or tend to fix, regulate, limit or reduce the price of any article of growth, production or manufacture, or which are designed or tend in a way to create a monoply, are hereby declared to be unlawful, against public policy and void.

Felony.

SEC. 2. *Be it further enacted,* That all persons entering into or continuing in any trust, pool, contract, arrangement, agreement or combination, either in his own account, or as agent or attorney for another, or as an officer, agent or stockholder of any corporation, or in any capacity whatever, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by a fine of not less than five hundred ($500) dollars nor more five thousand ($5,000) dollars, and imprisoned in the penitentiary not less than one (1) year nor more than five (5) years.

Personal liability.

SEC. 3. *Be it further enacted,* That all persons and corporations and the officers and the stockholders of all corporations that shall become or continue to be members of, or in any way connected with, or concerned in any such trust, contract, agreement or combination, shall be jointly and severally liable to pay all the debts, obligations and liabilities of each and every person and corporation that may become or continue a member thereof, connected therewith or concerned therein, as fully as if all were partners in the creation of such debts, obligations and liabilities.

SEC. 4. *Be it further enacted,* That if any corporation organized under the laws of this State, or any officer or stockholder thereof, as such, shall become or continue to be a member of any such trust, pool, contract, agreement, arrangement or combination, its charter shall become and be hereby forfeited, and it shall be the duty of the Attorney general of the county where the same is located or having its principal office, to bring suit against such corporation in the Circuit Court of such county, to have its said charter declared forfeited for that reason, and to wind up the same under the order of such courts. Charter forfeited.

SEC. 5. *Be it further enacted,* That when action at law or suit in equity shall be commenced in any court of this State it shall be lawful in the defense thereof to plead in bar or in abatement of the action that the plaintiff or any other person or corporation interested in the prosecution of the action is a member or connected with and the cause of action grows out of some business or transaction with such trust, pool, contract, agreement, arrangement or combination, as described in the first section of this Act. Suits.

SEC. 6. *Be it further enacted,* That any person or corporation injured or damaged by any such trust, pool, contract, agreement, arrangement or combination may sue and recover fines in any court of competent jurisdiction, double the amount of damages suffered by such person or corporation. Injured party.

SEC. 7. *Be it further enacted,* That upon the trial of any civil action against any corporation, person or copartnership for a violation of any section of this Act, all officers, stockholders and agents of such corporation, person or co-partnership shall be competent witnesses against the defendant as such on trial, and such officers, stockholders and agents may be compelled to testify against such defendant, and produce all books and papers in their custody or control pertinent to the issues in such action at or before the time of trial, and shall not be excused from producing any books or papers, because the same might tend to criminate such witnesses, but nothing which such witness shall testify to, and no books or papers produced by him shall in any manner be used against him in any criminal action to which he is a party. Witnesses.

SEC. 8. *Be it further enacted,* That all Acts and parts of Acts of the General Assembly of the State of Tennessee in conflict with this Act be and the same are hereby repealed.

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 219.

AN ACT to create a new school district out of parts of Williamson and Davidson Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a new school district be established out of parts of Williamson and Davidson Counties, consisting of the following territory, viz: Beginning on the Nolensville Turnpike at the mouth of the Taylor lane; thence with the pike to the bridge that crosses East Fork of Mill at Kidds; thence with the meandering of the creek east to R. A. Goodrum's farm; thence south far enough to inclose the buildings of said R. A. Goodrum; thence north to the East Fork of Mill Creek; thence east with the creek to base of Gooch Hill; thence east to corner of Davidson and Williamson Counties in the Rutherford line; thence north with the Rutherford County line to Mrs. Patti T. Johnson's northeast corner in Davidson County; thence west to the county road in the lands of W. H. Burkitts and B. Gray; thence west to the county road to the west boundary of Henry Guthrie's farm; thence south to the beginning, 45° west.

SEC. 2. *Be it further enacted,* That the school district created by the first section of this Act have all the emoluments, rights, and privileges and be governed by the same laws and rules that regulate and govern other school districts.

SEC. 4. *Be it further enacted,* That there shall be a board of three directors elected from the fractional parts of each county composing said school district to be elected as other directors, and shall act in an associated capacity in the government of said school district; *provided*, that each county comprising the said district shall pay upon the warrant of its respective directors each year the amount per capita due its fractional part of said district.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 220.

AN ACT to amend the Charter of the town of Union City, Tennessee, and all the Acts heretofore passed amendatory thereof, so as to empower said town to construct, own and operate an efficient system of water-works for fire protection, and to obtain a wholesome and ample supply of water; to own, operate and maintain an electric light system for the purpose of lighting said town; and to empower said town to issue coupon bonds in an amount not exceeding sixty thousand dollars to pay for said system of improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the town of Union City, Tennessee, and all the Acts amendatory thereof be and the same are hereby so amended that said town is hereby empowered to construct, own and operate a system of water-works for the purpose of supplying said town with wholesome and healthy water for fire protection, sanitary purposes, and for the use of the inhabitants thereof; also to construct, own and operate an electric light plant for the purpose of the proper lighting of said town. Authority

SEC. 2. *Be it further enacted*, That for the purpose of providing funds to meet the expenses of constructing the

Wherewith. improvements mentioned in the above section, the Board of Mayor and Aldermen of said town are hereby empowered, in their corporate capacity, to issue the bonds of said town in an amount not exceeding sixty thousand dollars, signed by the Mayor and countersigned by the Recorder, with interest coupons attached, which shall be signed in like manner.

Bonds. SEC. 3. *Be it further enacted*, That the bonds herein provided for may be executed of denominations of from one hundred to one thousand dollars, at the discretion of the said Board of Mayor and Aldermen, and shall mature at times from five to thirty years, as may be fixed by ordinance, and shall bear interest at such rate as said Mayor and Aldermen may adopt; *provided*, it shall not exceed six per cent. per annum, said bonds to be issued with coupons attached, payable semi-annually.

Purposes. SEC. 4. *Be it further enacted*, That the series of bonds herein authorized shall be known as "Union City Improvement Bonds," and shall be used exclusively for the purpose of providing additional water facilities for said town, the proper lighting of the same, and in the purchase of such machinery and material for said works as may be deemed necessary, or for any other legitimate purpose incident to the construction of works necessary for the proper lighting of said town, and for the providing of an ample supply of wholesome water to the citizens of said town, for sanitary purposes and protection against fire; and for the purpose of enabling said Board of Mayor and Aldermen of said corporation to construct Sale of bonds. said improvements they are empowered to sell the bonds herein authorized, and apply the proceeds to the payment of said improvement; *provided, however*, that no bond issued under the provisions of this Act shall be sold for less than its par value, and the coupon attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "Sinking Fund Tax" herein provided for, the "school tax," or other special tax.

Ordinances. SEC. 5. *Be it further enacted*, That the Mayor and Aldermen of said corporation are hereby authorized to enact such laws and ordinances, not inconsistent with the laws of the land, necessary for the protection of said improvements, and provide for the operating of the same; to regulate the use of said water supply and lights, and the furnishing of the same for private use.

SEC. 6. *Be it further enacted*, That for the purpose of maintaining and paying the cost of operating said improvements, and to aid in providing a "sinking fund" to pay said bonds and interest, the Board of Mayor and Aldermen of said corporation are hereby authorized to furnish to the citizens of said town, for private use, water and lights, and to charge and collect for such use a reasonable monthly or annual rental, the bases and schedule of rates of charges to be made for the use of water or lights so furnished to be fixed by ordinance, and be uniform as near as possible. Consumers.

SEC. 7. *Be it further enacted*, That all the income derived by said corporation from rentals before mentioned shall be first applied to the payment of the operating expenses of said water and light plants, and any amount so derived in excess of operating expenses shall be paid into the "sinking fund." Income.

SEC. 8. *Be it further enacted*, That before any bonds shall be issued hereunder the corporation shall provide, by ordinance, for a "sinking fund" wherewith to retire the bonds, such funds to be made up of the excess of rentals as stated in Section 7 of this Act, and by levying a special tax, same to be designated the "sinking fund tax," the tax to run with the bonds and to be collected annually, and used exclusively for the purpose for which levied, and to be sufficient, with its accumulations and the income derived from excess of rentals, as near as may be estimated, to meet or retire the principal indebtedness by its maturity. Sinking fund.

SEC. 9. *Be it further enacted*, That the Board of Mayor and Aldermen for said town shall appoint or elect by ballot three persons—citizens—who shall be known as the "Sinking Fund Commissioners," who shall hold office for three years and until their successors shall be elected and qualified, and to be so elected that one of said Commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years. Commissioners

SEC. 10. *Be it further enacted*, That said Commissioners shall take an oath before any person authorized to administer oaths to faithfully discharge their duties, and shall give bond in such sum and otherwise qualify themselves, and receive such compensation as the ordinances of said corporation may provide; that said Commissioners shall receive from the City Tax Collector all "sinking fund taxes," and from the officer designated by the corporation to collect water and light rentals all rentals derived from said works in excess of the amount held to pay operating expenses, and shall invest the same Oath. Proceeds.

from time to time in the bonds herein mentioned, when the same can be purchased at such price as meets with the approval of said Board of Mayor and Aldermen. When this cannot be done said fund may from time to time be placed and loaned at interest upon first-class real estate security notes and mortgage with power of sale, such loans to be approved by the Board of Mayor and Aldermen before being made. Said Commissioners shall make settlement of their accounts with such person and in such manner and at such times as the Board of Mayor and Aldermen may provide.

Funds.

Settlements.

SEC. 11. *Be it further enacted*, That the said Mayor and Aldermen shall, by ordinance, provide for the assessment, levy and collection of such taxes as shall be necessary to meet the payment of the accruing interest on said bonds, such interest to be paid when due by the Treasurer of said corporation, out of the funds so provided, which shall be used exclusively for that purpose.

Taxes.

SEC. 12. *Be it further enacted*, That said bonds shall not be issued until an election is held in said town, to determine whether the legal voters of said town favor the issuance of the same, and the Mayor and Aldermen shall, by ordinance, appoint some time, and as many times as they may deem necessary, at which to hold said election; and shall appoint some suitable person to open and hold the same under such regulations and restrictions as the said Mayor and Aldermen may, by ordinance, establish.

Election.

SEC. 13. *Be it further enacted*, That if the number of votes cast at such election in favor of the issuance of said bonds be equal to two-thirds of all the votes cast in said election, then said bonds may be issued.

Majority.

SEC. 14. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March —, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 221.

AN ACT to require all male citizens who bring suit for divorce to give bond and security for the costs of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all male citizens who bring suit for divorce in any of the courts of this State shall, before the issuance of any leading process in said suit, give bond and security for all costs that may accrue in same.

SEC. 2. *Be it further enacted,* That all laws and parts of laws in conflict with Section (1) one of this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 222.

AN ACT to amend an Act passed by the First Extra Session of the General Assembly of the State of Tennessee, on March 11, 1890, approved March 14, 1890, being Chapter 26, Acts 1890, being an Act entitled "An Act to regulate the elective franchise in accordance with Article 4, Section 1, of the Constitution of the State, and to prescribe what shall be the satisfactory evidence that is contemplated and required in said Section and Article of the Constitution and in said Chapter, which must be furnished judges of elections by one offering to vote, that he has paid his poll tax as required by said Chapter, if any is assessed against him for the preceding year."

Evidence of payment.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 26 of the Acts of the Extra Session, 1890, approved March 14, 1890, entitled an Act to regulate the elective franchise in accordance with Article 4, Section 1, of the Constitution of the

State, be so amended as to require that the satisfactory evidence to be furnished by the voter to the judges of the election that he has paid the poll tax assessed against him, if any, for the preceding year, as contemplated and required by said Article and Section by said Chapter, shall consist of the original poll tax receipt or a duly certified duplicate and copy of the same, properly certified by the Trustee, or shall make an affidavit that he has paid his poll tax, and that his receipt is lost or misplaced, which affidavit shall be filed with the said judges of election.

Assessment.

SEC. 2. *Be it further enacted*, That the words "assessed against him" in the twelfth line of said Act are hereby made to contemplate and mean the poll tax for the year or years named in the Act, due by the voter and to which he is made subject under the revenue laws of the State, whether the name of the voter appears on the books of his County Tax Assessor or not.

Misdemeanor.

SEC. 3. *Be it further enacted*, That any person voting or any judge of any election permitting any person to vote in the same without having first complied with the provision of Section 1 of this Act, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty dollars, and imprisoned in the county jail or work-house not exceeding ninety days, in the discretion of the court.

SEC. 4. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 223.

AN ACT to amend Chapter 25 of the Acts of the first Extra Session of the Forty-sixth General Assembly of the State of Tennessee, passed March 11, 1890, and approved March 13, 1890, entitled An Act to provide for the registration of voters in this State in counties having a population of 70,000 inhabitants or over that number, computed by the Federal Census of 1880, or which may hereafter have that number or over, computed by any subsequent Federal Census, and to towns, cities, and civil districts having a population of 2,500 inhabitants or over, computed by the Federal Census of 1880, or which may hereafter have that number, or over that number, by any subsequent Federal Census, and to extend the provisions of said Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 25 of the Acts of the first Extra Session of the Forty sixth General Assembly, passed March 11, 1890, and approved March 13, 1890, be so amended as to provide that the provisions of the same is made to apply to all civil districts, wards, and voting precincts in counties which have a voting population of fifty thousand or over that number, computed by the Federal Census of 1890, or which may hereafter have that number or over, computed by any subsequent Federal Census, and to provide that each and every voter, in addition to the regulations now required by law, shall be registered as a voter, as provided in said Chapter 25 aforesaid, before he shall be allowed to exercise the elective franchise in any election held in any civil district, ward or voting precinct in said counties having a population as herein provided.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 224.

AN ACT to amend an Act passed March 11, 1890, being Chapter 25 of the Acts of the first Extra Session of 1890, entitled An Act to provide for the registration of voters in this State in counties having a population of 70,000 inhabitants or over that number, computed by the Federal Census of 1880, or which may hereafter have that number or over computed by any subsequent Federal Census, and to towns, cities and civil districts having a population of 2,500 inhabitants or over, computed by the Federal Census of 1880, or which may hereafter have that number by any subsequent Federal Census, so as to cause said Act to cover and apply to all counties in Tennessee having, by the Federal Census of 1890, or that may at any time thereafter have a population of 50,000 inhabitants or over, and to confer upon the Commissioners of Registration the authority and make it their duty to appoint in their respective counties, cities and towns and voting precincts one of the judges and one of the clerks of all elections held under the provisions of this Act, and to provide that the County Courts, Sheriffs, Mayors and Boards of Mayor and Aldermen shall appoint judges for two political parties.

Act amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of an Act passed March 11, 1890, and being Chapter 25 of the Acts of the first Extra Session of 1890, and being an Act entitled as set forth in the caption hereof, be and it is hereby amended so as to insert the figures "50,000" wherever in said section the figures "70,000" appear, and so as to insert in said section the year 1890, wherever therein the year 1880 appears.

Judges and Clerks.

SEC. 2. *Be it further enacted,* That Section 3 of said Act be and it is hereby amended by adding thereto the following: It is also made the duty of said Commissioners of Registration, and the power and authority is hereby conferred upon them to appoint at some convenient period, prior to all elections held under the provisions of this Act, one of the three judges and one of the two clerks of elections in each ward and district and voting precinct of the city or county to which this Act applies; and the County Courts, Mayors and Boards of Mayor and Aldermen and Sheriffs in the counties and cities within the provisions of this Act are hereby divested of the authority to appoint more than two of said three judges, and not more than one of the two clerks of said elections, and the County Courts, Sheriffs, Mayors and Boards of Mayor and Aldermen in making the appointments of the other two judges, shall appoint one from each of the political parties most numerously represented in such wards or districts or voting precincts of said cities or counties.

SEC. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and they are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 225.

AN ACT to amend Section 2 of An Act passed at the first Extra Session of the Forty-sixth General Assembly of the State of Tennessee on the 11th day of March, 1890, and approved March 13, 1890, entitled "An Act to provide more stringent regulations for securing the purity of elections in this State, and applicable to counties having a population of 70,000 inhabitants and over, computed by the Federal census of 1880, or which may hereafter have that number or over that number of inhabitants, computed by any subsequent Federal Census, and to cities having a population of 9,000 inhabitants or over, computed by the Federal Census of 1880, or which may hereafter have that, or over that number of inhabitants, computed by any subsequent Federal Census."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 Chapter 24 of the Act passed at the first Extra Session by the Forty-sixth General Assembly of the State of Tennessee on March 11, 1890, and approved March 13, 1890, entitled "An Act to provide more stringent regulations for securing the purity of elections in this State, and applicable to counties having a population of (70,000) seventy thousand inhabitants and over, computed by the Federal Census of 1880, or which may hereafter have that number or over that number of inhabitants, computed by any subsequent Federal Census, and to cities having a population of (9,000) nine thousand inhabitants or over, computed by the Federal Census of 1880, or which may hereafter have that or over that number of inhabitants, computed by any subsequent Federal Census, be amended so as to provide that said Act be applicable to all counties in Tennessee having, according to the Federal Census of 1890, or which may hereafter have, by any subsequent Federal Census, a population of (50,000) fifty thousand inhabitants or over that number.

SEC. 2. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 226.

AN ACT to incorporate the town of Montvale Springs, in Blount County, Tennessee.

Limits. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the citizens and inhabitants of the Seventh District of Blount County, Tennessee, and within the following territory, viz.: Beginning at the base of Chilhowee Mountain where the public road leading from Maryville by the way of Montvale Springs across the mountain Happy Valley strikes the mountain and starts up the mountain; running thence south-west 90 poles; north-west 90 poles; north-east 90 poles; south-east 90 poles, to the beginning, under the name and style of the town of Montvale Springs.

Government. SEC. 2. *Be it further enacted,* That the governing body of said town shall consist of a Mayor and Aldermen, in whom are vested the exercise of all the powers hereinafter granted, or which may pertain to and be vested in municipal corporations under the general laws of the State.

Term. SEC. 3. *Be it further enacted,* That the Mayor and Aldermen shall be elected by a vote of the qualified voters of the town, and they shall hold their offices for the period or two years from the date of their election and qualification.

Mayor. SEC. 4. *Be it further enacted,* That the Mayor shall preside at all meetings of the Board of Aldermen, but shall not vote in the passage of any ordinance or by-law, but he shall have the power to see to the passage of any ordinance or by-law where the same has not been passed by the unanimous vote of the Aldermen.

Constable. SEC. 5. *Be it further enacted,* That the Board of Mayor and Aldermen shall appoint a Constable for the said town, who shall be the executive officer of the town and conservator of the peace within the town, and he shall execute all writs issued by authority of the Board of Mayor and Aldermen, and arrest all offenders against the by-laws and ordinances of the town.

Powers of Board. SEC. 6. *Be it further enacted,* That said Board of Mayor and Aldermen shall have power to keep in repair the streets, side-walks and public grounds and buildings belonging to the town, to make and ordain all public and sanitary regulations that may be proper or necessary for the peace and good order and health of the town and its inhabitants, and to make and enact all by-laws and ordinances necessary to carry into effect the object of the incorporation, not inconsistent with the general laws of the State, and to fix the penalty for the violation of any of the ordinances or by-laws of the corporation.

Mayor's court. SEC. 7. *Be it further enacted,* That the Mayor of said town shall have, within the bounds of said town, judicial powers to hear and determine all cases of offenses against the by-laws and ordinances of the town, and to issue writs for the arrest of all offenders, and to impose fines upon offenders found guilty, and commit them to the work-house of the county until the fines are paid.

Election. SEC. 8. *Be it further enacted,* That within ten days after the passage of this Act the Sheriff of Blount County shall open and hold an election for Mayor and three Aldermen for said town, said election to be held within the limits of said town, and after ten days notice posted within its limits; and the person receiving the highest number of votes for Mayor shall be declared elected, and the three persons receiving the highest number of votes for Aldermen shall be declared elected Aldermen, and the Sheriff shall issue a certificate of election to the said officers, and it shall be the duty of the Sheriff of the county, every two years thereafter, to hold an election in said town for the purpose of electing a Mayor and Board of Aldermen for said town.

SEC. 9. *Be it further enacted,* That the expense of the election of Mayor and Aldermen shall be paid by the authorities of the town.

Recorder.

SEC. 10. *Be it further enacted,* That the Aldermen shall elect one of their number Recorder and Treasurer, whose duty shall be to keep a faithful record of the proceedings of the Board, and to keep the moneys of the corporation upon the order of the Board.

SEC. 11. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 227.

AN ACT authorizing and requiring all the clerks of all the courts in this State to pay into the State and county treasury all moneys, funds or fees in their hands or courts unclaimed or uncalled for by the parties legally entitled thereto, and to repeal all laws or parts of laws in conflict with this Act.

Unclaimed fees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That each and every clerk of all the courts of this State are hereby authorized, directed and required to pay into the State treasury, as other State revenue is paid, all sums of money, funds or witness fees that may have remained in their hands or courts unclaimed or uncalled for by the party or parties legally entitled to same for a period of six years, except in cases where the county may have paid the costs, in which event the same shall be payable into the county treasury as other county revenue; and for failing to comply with this Act clerks shall be subject to the same pains and penalties now prescribed by law for failure to pay over State and county revenue.

Suits.

SEC. 2. *Be it further enacted,* That the State Comptroller is authorized and required to institute, whenever it is necessary, such proceedings, in the name of the State, as may be proper and necessary to enforce the payment into the treasury of the State of the moneys mentioned in the first section of this Act, and he is hereby authorized to employ such attorneys as may be necessary to prosecute such proceedings as he may deem necessary to to institute for this purpose; *provided*, the fees of such attorneys shall not exceed twenty per cent. of the amount collected to be paid out of the fund collected, and which shall not be otherwise chargeable to the State.

Attorneys.

Counties.

SEC. 3. *Be it further enacted,* That the County Judge or Chairman of the County Court is hereby granted the same power as is given the State Comptroller in Section 2 of this Act, in regard to the collection of any unclaimed moneys or fees in cases in which the county has paid the cost.

SEC. 4. *Be it further enacted,* That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 228.

AN ACT to change the line between Grundy and Franklin Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Grundy and Franklin Counties be so changed as to include the lands on which J. F. Laxson now lives in the county of Grundy.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 229.

AN ACT to amend the Acts of the State of Tennessee passed January 29, 1879, Acts of 1879, Chapters 10 and 11, pages 13 and 15, and amendatory Acts thereto repealing charters of municipal corporations and establishing Taxing Districts, so as to establish and reinstate names formally had by such cities having a population of over 35,000 inhabitants by the Federal Census of 1870, or may have by any subsequent Federal Census, whose charters were repealed, and whose inhabitants and territory were organized under the name and style of Taxing Districts, as provided by said above named Acts.

Memphis.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That styles and names of all communities and places in the territorial limits of such municipal corporations whose inhabitants was over 35,000 by the Federal Census of 1870, or may be by any subsequent Federal Census, and whose charters were repealed, and which said territory and inhabitants were organized under the name and style of the Taxing District under the Acts of Tennessee passed January 29, 1879, and approved January 31, 1879, Acts of 1879, Chapters 10 and 11, pages 13 and 15, and amendatory Acts thereto be and the same are hereby changed to the names such cities had prior to the repeal of their respective charters.

SEC. 2. *Be it further enacted*, That wherever in said Acts of January 29, 1879, and Acts amendatory thereof as above stated, the words Taxing District appear, that said words, when referring to the names of the municipality, shall be eliminated and omitted, and the names that existed prior to the repeal of such charters be substituted therefor, and the said Acts be and are hereby amended accordingly.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 230.

AN ACT to amend an Act passed February 16, 1887, approved February 25, 1887, Chapter 5, Acts of 1887, entitled "An Act to change the time for holding the courts in the Seventh Chancery Division, and to amend Section 5 Chapter 20 of the Acts of the Extra Session of the General Assembly of the State of Tennessee, passed June 11, 1885, approved June 12, 1885, and styled 'An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and to fix the time for holding the terms of said Chancery, Circuit, and other courts, and to provide for holding the terms of the Chancery Court for Giles County, Tennessee.'"

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of Chapter 5, Acts of 1887, in so far as it requires the Chancery Court for Giles County to be held on the first Monday in February and August of each year, be amended so as to require said Chancery Court to be held on the first Mondays in February and July respectively of each year.

SEC. 2. *Be it further enacted,* That all bonds shall be taken and all process made returnable to said court at the time fixed for holding the same by this Act; and all bonds taken or process issued to and returnable to said August term, as provided in said Act of 1887, shall be taken and held as issued to and returnable to said July term, as herein provided, and shall be valid and legal and binding as though taken and issued originally.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 231.

AN ACT to repeal an Act to amend an Act incorporating the town of Humboldt, Gibson County, Tennessee, and to change the corporate lines of said town, approved March 22, 1887, and being Chapter 68 of the Acts of 1887, and to re-enact Chapter 51, passed February 15, 1866.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 68 of the Acts of the General Assembly, passed March 3, 1887, and approved March 22, 1887, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That the boundaries of Humboldt shall be hereafter the same as recognized and established under Chapter 51 of the Acts of the General Assembly, passed February 15, 1866.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 4, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P..BUCHANAN,
Governor.

CHAPTER 232.

AN ACT to divide School District No. 19, in the County of Coffee, so as to create a new school district out of that part of said 19th district lying on the north side of Duck River.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That School District No. 19, of the County of Coffee, be divided so as to create a new School District No.——out of that part of said District No. 19, lying on the north side of Duck River, by beginning on the north bank of Duck River where the north boundary line of said 19th District crosses said river, and with said north boundary line to the northwest corner of said 19th District, thence with said west boundary line to the south-west corner of said 19th District, thence with south boundary line to the southeast corner of said 19th District, thence with east boundary line of same to where the said east boundary line crosses Duck River, thence with and up said river to the beginning, including all of said 19th District lying north of Duck River, which by this Act creates and shall constitute School District No.———in the County of Coffee.

SEC. 2. *Be it further enacted,* That all rights and privileges conferred by law on citizens of the other school districts of said county are hereby conferred on the citizens of School District No.——that this Act creates.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 233.

AN ACT to change the line between the counties of Clay and Overton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Clay and Overton be so changed as to detach the lands of John Conner, James Conner and O. C. Waddle, bordering on the line, from the county of Clay and attach the same to Overton County.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 12, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 234.

AN ACT to amend an Act passed February 12, 1858, entitled "An Act to incorporate the town of Tullahoma," and to amend an Act amending the same, passed March 31, 1885, Chapter 85, Acts of 1885, so as to provide for the election of the Mayor annually, and to require the payment of the municipal poll tax as a conditional precedent to voting.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That at each annual election there shall be elected three Aldermen to serve for two (2) years, and a Mayor to serve for one year; *provided,* nothing in this Act shall be construed to inhibit the Mayor from exercising all the powers and privileges of an Alderman of said town.

SEC. 2. *Be it further enacted,* That every person who is otherwise qualified to vote in the corporation elections of said town of Tullahoma shall, as a precedent to the exercise of voting in corporation elections, furnish to the judges of the election satisfactory evidence that he has paid the poll tax, if any, assessed against him by said corporation (or Mayor and Aldermen) of Tullahoma for the year next preceding the election; *provided*, if any voter has been wrongfully assessed for such poll tax this Act shall not apply to him.

SEC. 3. *Be it further enacted*, That all Acts and parts of Acts in conflict with this Act be and the same are hereby repealed.

Passed March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 235.

AN ACT to amend the Charter of the city of Jackson, Tennessee, so as to empower said city to issue seventy-five thousand ($75,000) dollars of bonds for the purpose of funding its indebtedness, acquiring an electric light plant, erecting a public school building and graveling its streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the city of Jackson, Tennessee, and Acts amendatory thereof, be and the same are hereby amended so that the Mayor and Aldermen of said city, in their corporate capacity, shall have and they are hereby vested with full power to issue under the restriction hereinafter provided, the interest-bearing coupon bonds of said city to the amount of seventy-five thousand ($75,000) dollars, of which thirty thousand dollars ($30,000) of said bonds are to be issued and used exclusivety for funding the unbonded and floating indebtedness of said city; twenty thousand ($20,000) dollars of said bonds are to be issued and used exclusively for the purchase of an electric light plant for said city; five thousand ($5,000) dollars of said bonds are to be Authority.

issued and used exclusively for building a public school building in the Fourth Ward of said city; and twenty thousand ($20,000) dollars of said bonds are to be issued and used exclusively for paving and graveling the streets of said city.

Interest.

SEC. 2. *Be it further enacted,* That any and all bonds issued at any time under this Act shall be of such denomination, bear such rate of interest per annum, not to exceed six (6) per cent., and be due in such time, not less than ten nor more than thirty years from the date, and be payable at such times and places as the corporate authorities may determine.

Coupons.

SEC. 3. *Be it further enacted,* That none of the bonds provided for in this Act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation except the school tax, the tax specially levied to pay the interest on the bonds of said city heretofore issued, and the sinking fund hereinafter provided for.

Election.

Majority

SEC. 4. *Be it further enacted,* That before the Mayor and Aldermen shall issue any of the bonds contemplated by this Act they shall first order an election of the voters of said city and prescribe rules and regulations therefor, and shall give notice of said election by publication in some newspaper published in said city at least once a week for three consecutive weeks, or by handbills publicly posted for at least twenty days, specifying in such notice the amount of the bonds proposed to be issued, and for what purposes, and providing for a ballot on each proposition; and if two-thirds of the persons voting at such election are in favor of any or all of said propositions then the Mayor and Aldermen shall issue the bonds for the purpose or purposes in favor of which a two-thirds vote shall have been cast; and said election may be held at any time, or as many times, for any or all of said purposes, as the said Mayor and Aldermen may determine.

Tax.

SEC. 5. *Be it further enacted,* That said Mayor and Aldermen shall each and every year levy a tax not to exceed fifteen (15) cents on one hundred ($100) dollars upon all taxable property and privileges of said city to pay the interest on such bonds as may be issued hereunder, and to provide a sinking fund to pay or redeem said bonds at or before maturity, the sinking fund to be used exclusively for the purposes levied.

SEC. 6. *Be it further enacted,* That before any of said bonds shall be issued the said Mayor and Aldermen shall elect a Board of three commissioners to be known as "Sinking Fund Commissioners," who shall hold office for three years, and until their successors shall have been elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve for three years. Said commissioners shall, before entering upon the discharge of their duties, take an oath before a qualified officer faithfully to discharge their duties, and shall give bond in such sum and otherwise qualify themselves, and receive such compensation as the ordinance of the corporation may prescribe and provide. Said commissioners shall receive from the collector of taxes all the sinking fund tax and shall invest the same from time to time in the bonds of the corporation here contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct; *provided, however,* that whenever such bonds of the city are purchased or invested in by the commissioners, they shall cancel the same in the presence of the Board of Mayor and Aldermen in such manner as may be determined by ordinance. Commissioners

SEC. 7. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 236.

AN ACT to authorize the city of Clarksville to issue bonds to establish a system of sewerage.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act it shall be lawful for the Board of Mayor and Aldermen of the city of Clarksville to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed the sum of one hundred thousand dollars; *provided,* said bonds or their proceeds shall be used exclusively for the purpose of constructing a system of sewerage in said city, in such manner and places as may be determined upon by the corporate authorities of said city.

Authority.

SEC. 2. *Be it further enacted,* That all bonds issued under this Act shall be of such denomination, bear such rate of interest, not exceeding six per cent. per annum, and be due in such time, not more than thirty years from date, and be payable at such time and places as the corporate authorities may determine.

Bonds.

SEC. 3. *Be it further enacted,* That the bonds provided for by this Act shall in no case be sold for less than par, and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "sewerage sinking fund tax" provided for by the following section, and the "school tax:"

SEC. 4. *Be it further enacted,* That before any bonds shall be issued hereunder the corporation shall provide, by ordinance, for a sinking fund wherewith to retire the bonds by levying a special tax (which it is hereby empowered to do), to be designated the "Sewerage Sinking Fund Tax," the tax to run with the bonds, and to be collected annually, and used exclusively for the purpose levied, and to be sufficient, with its accumulations, as near as may be estimated, to meet and retire the principal indebtedness by its maturity.

Sinking fund.

SEC. 5. *Be it further enacted,* That said corporation, by its Board of Mayor and Aldermen, before issuing any bonds under this Act, shall appoint or select by ballot three persons, citizens, who shall be known as "Sewerage Sinking Fund Commissioners," who shall hold office for three years and until their successors shall be elected and

Sewerage fund commissioners.

qualified, and to be so elected that one of said Commissioners shall be elected for one year, one for two years and one for three years, and every year thereafter one shall be elected to serve three years.

Sewerage fund.

SEC. 6. *Be it further enacted,* That said Commissioners shall receive from the collector of taxes all the sewerage sinking fund taxes, and shall invest the same from time to time in the bonds of the corporation, and make settlements of their accounts in such manner and with such persons as the corporation may, by ordinance, direct; *provided, however,* that whenever such bond of the city is purchased or invested in by said Commissioners they shall cancel the same in the presence of the Board of Mayor and Aldermen in such manner as may be determined by ordinance.

Oath.

SEC. 7. *Be it further enacted,* That said Commissioners shall take an oath, before any person authorized to administer oaths, to faithfully discharge their duties, and give bond in such sum and otherwise qualify themselves, and receive such compensation as the ordinance of the corporation may prescribe and provide.

Inhibition.

SEC. 8. *Be it further enacted,* That no person shall be a "Sinking Fund Commissioner" and a "Sewerage Sinking Fund Commissioner" at the same time.

Election.

SEC. 9. *Be it further enacted,* That said bonds shall not be issued unless so authorized by a majority of the votes cast by the qualified voters of said city of Clarksville, voting at an election to be held by the order of the Board of Mayor and Aldermen, at any time and as many times as the said Board of Mayor and Aldermen may deem necessary.

SEC. 10. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 237.

AN ACT to extend the corporate limits of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Nashville be and the same are hereby extended so as to include lot No. 37, in the Maple Grove plan, as registered in book No. 139, page 505, which lot fronts 33½ feet on the west side of the Beuna Vista Pike and runs back westwardly between parallel lines to an alley.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 238.

AN ACT to extend the corporate limits of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Nashville be extended so as to include the following territory, viz.: Beginning at the point formed by the west and south lines of Lot No. 30 of Cantrell subdivision corner of Clay and Darmstadt Streets, thence north with the west line of said lot to the alley in the rear thereof, thence eastwardly with the south line of said alley and said south line projected to a point 150 feet east of College Street, thence southwardly in a straight line to the present corporation line.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 239.

AN ACT to extend the corporate limits of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Nashville be and the same are hereby extended so as to include lot No. 37 in the Maple Grove plan as registered in book No. 139, page 505, which lots fronts 33½ feet on the west side of the Beuna Vista Pike and runs back westwardly between parallel lines to an alley.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

W. C DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

CHAPTER 240.

AN ACT to change the times of holding the Chancery Courts in the Counties of Scott and Morgan.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the times for holding the Chancery Courts in the Counties of Scott and Morgan be so changed that the Chancery Court for Scott County shall be held on the Mondays next preceding the first Mondays in March and September, and the Chancery Court for Morgan County shall be held on the first Mondays in March and September.

SEC. 2. *Be it further enacted,* That this Act take effect from and after the third Monday in March, 1891, and that all Acts inconsistent with this Act be repealed.

Passed March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor

CHAPTER 241.

AN ACT to authorize Cheatham County to issue bonds for the building of bridges over streams crossing public highways.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the County of Cheatham is hereby authorized to issue ten thousand dollars in bonds to build bridges over streams crossing the public highways in said county, to run ten years, redeemable, however, at the pleasure of the county at any shorter period; *provided,* that at any Quarterly Court of said county after the passage of this Act, three-fourths of all the Justices of the Peace thereof being present, shall vote Bridge Bonds.

for the issuance of said bonds, and that the same shall not be sold for less than their face or par value.

SEC. 2. *Be it further enacted,* That the denomination of said bonds shall be of the value of not less than one hundred dollars, and not over five hundred dollars, and number from 1 up consecutively in the order in which they may be issued, bearing six per cent. per annum, with ten coupons attached to each bond, showing the interest on each bond annually, and the said coupons shall be receivable by the County Trustee on payment of taxes as they mature. Description.

SEC. 3. *Be it further enacted,* That the County Court shall provide by taxation upon the real and personal property of said county a "sinking fund" to retire said bonds on or before their maturity, and that whenever a fund arising from this source shall come into the hands of the Trustee of the county sufficient to retire any of said bonds, it shall be the duty of the Chairman of the County Court of said county to advertise for the number of bonds desired to be retired, which shall be presented to the Trustee for payment, and unless so presented in thirty days after said advertisement the interest thereon shall cease. Sinking fund.

SEC. 4. *Be it further enacted,* That whenever any of said bonds shall be retired, or the coupons received in payment of taxes, or otherwise paid, it shall be the duty of the County Trustee to cancel the same by punching a hole through them and writing across their face in ink the date of their cancellation and by whom so cancelled. Cancellation.

SEC. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 242.

AN ACT to extend the corporate limits of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Nashville be extended so as to include the following territory, to wit: Beginning at the present corporation line at the intersection of West End Avenue and Oak Street and running northwardly along said Oak Street to Hayes Street, thence eastwardly along said Hayes Street to the present corporation line on said Hayes Street.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 19, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 243.

AN ACT to amend the charter of the town of Lynchburg—incorporating Act passed December 28, 1841, amendatory Act passed March 30, 1885—and to incorporate all of said charter in one Act.

Corporate name.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Lynchburg, in the county of Moore, and the inhabitants thereof be and are hereby incorporated a body politic and corporate under and by the style and name of the Mayor and Aldermen of the town of Lynchburg, and shall have perpetual succession by their corporate name; may sue and be sued, plead and be impleaded; grant, receive, purchase and hold real and personal property, and dispose of the same for the benefit of the said town, and may have and use a town seal.

Boundaries.

SEC. 2. *Be it further enacted,* That the boundary and limits of said town of Lynchburg shall be as follows: Beginning at Alford Eaton's corner south of bridge from Lynchburg east, running north with west side of East

Mulberry Creek and mill-race to north corner of Mrs. Alford Eaton's yard; thence west with north yard fence straight across orchard to W. D. L. Record's east boundary line, and with said line north to M. F. McGregor's east boundary line; thence with said line to McGregor's north-east corner; thence west with McGregor's line to extension of Mechanic Street; thence south with said street to Mrs. N. J. Norman's north boundary line; thence west with said line to Masons' and Odd Fellows' Cemetery; thence south with cemetery line to Cemetery Street; thence west with said street to George Daniel's north-west corner; thence south with said Daniel's line to Flack's west boundary line; thence south taking in the lots of James Overby, widow Nat. Berry, S. A. Billingsley, Ben Berry, and from the south-west corner of said Berry's lot to the Lynchburg and West Mulberry pike, 100 yards from Fayetteville and Lynchburg pike; thence with West Mulberry pike east to the Fayetteville and Lynchburg pike; thence a little south of east down J. L. Bryant & Co.'s land and through gate at the east end thereof and north of house now occupied by Thomas Spriggs; thence across the creek in a south-east direction to back and south of J. W. Byrom's garden; thence in an easterly direction, taking in houses, outhouses and gardens of B. E. Spencer, R. A. Parks, J. B. Warren, D. D. Blythe, H. R. Blythe, A. L. Eaton, G. H. Warren and M. L. Parks to a rock; thence in an easterly direction across said Tanyard road and hill to Jack Daniel's cave; thence in a northerly direction, including Jack Daniel's distillery, barn and houses, outhouses and warehouses, to Shelbyville and Lynchburg pike at Bethel Church, and with north side of said pike to east end of Big Bridge; thence, excluding said bridge, in a straight line to the beginning.

SEC. 3. *Be it further enacted*, That the corporation aforesaid shall have full power and authority— Powers.

1. To enact such laws and ordinances as may be necessary and proper to preserve the health, quiet and good order of the town.
2. To prevent and remove nuisances.
3. To establish night-watches and patrols.
4. To ascertain, when necessary, the boundaries of streets and alleys.
5. To grant privileges in the use and enjoyment of the same.
6. To open, alter, abolish, widen, extend establish,

Thoroughfares grade, pave or otherwise improve, clean and keep in repair streets, alleys, pikes and sidewalks, or to have the same done.

7. To sell or dispose of same if deemed expedient.

8. To assess property for taxes, or to levy and collect by proper officers taxes upon all real and personal property, polls and privileges taxable by the laws of the State.

9. To appropriate money and provide for the debts and expenses of the town.

Sanitary. 10. To make regulations to prevent the introduction and spread of contagious diseases in the town, and to appoint a Board of Health for the purpose, and to enforce the same within one mile of town limits.

Bridges, etc. 11. To erect, establish and keep in repair bridges, culverts, sewers and gutters within the town, or immediately connected with it.

12. To restrain and prohibit gaming.

13. To prohibit indecent exhibitions.

14. To provide for the organization and regulation of fire companies and the sweeping of chimneys.

15. To dig wells, cover them and regulate their use.

16. To erect pumps on the streets or public grounds.

17. To impose and collect fines and forfeitures for breaches and violations of its ordinances.

18. To regulate, prohibit and suppress all disorderly houses and bawdy houses.

Fire. 19. To prohibit the erection of wooden buildings in such part of town as may be deemed expedient, and set such fire limits and districts as may be deemed advisable.

20. To provide for the lighting of streets, public buildings and places.

Water. 21. To provide the town with water-works, or contract with others for water, either within or without corporate limits for corporate purposes.

22. To establish a system of free schools and maintain them by taxation, and to regulate said schools.

Inflamables. 23. To regulate the storage of gunpowder, tar, resin, pitch, and all other combustible materials, and the use of the light and stove pipes in all stables, shops and other places.

Sidewalks. 24. To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same and the gutters at the expense of the owners of the grounds fronting thereon.

Arrests. 25. To provide for the arrest and confinement, until trial, of all drunk or disorderly persons within the town, either by day or night.

26. To regulate, tax, license or suppress the keeping or going at large of animals within the town, or any designated part of it; and to impound any animal or or animals, and in default of redemption in pursuance of an ordinance to sell, dispose of or kill the same. Animals.

27. To commit any persons or person who may fail or refuse to pay or secure any fine and cost imposed upon them or him by any ordinance of said town to the jail, calaboose or work-house of said town until such fine and cost be fully paid or secured. Every person so committed shall be required to work for the town as his or her health will permit, at such wages and under such regulations as may be established by ordinance, said work to continue until such fine and costs are fully paid. Imprisonment.

28. To pass all laws and ordinances necessary and proper to enforce the powers granted, not inconsistent with the Constitution and laws of the United States or of the State of Tennessee. Ordinances.

SEC. 4. *Be it further enacted*, That the Sheriff of Moore County, by himself or deputy, shall hold an election at the most suitable place to be selected by him, in said town, on the first Thursday in August of every year, after giving ten days' notice, for the purpose of electing seven persons to serve as Aldermen of the town of Lynchburg; and also, on the same date, on the expiration of term of present Magistrate for the town of Lynchburg, the Sheriff or deputy shall hold an election for Magistrate of the town of Lynchburg to serve for the term of six years. He shall appoint three judges, one of whom shall act as clerk, to aid in said election, who shall be legal voters of said town, and who shall be sworn and qualified by the officer holding the election, as required by law, the voters shall vote by ballot, polls being opened at 10 o'clock and closed at 4 o'clock. All persons owning a freehold in said town, and residents for three months preceding said election, who shall be qualified to vote for members of the General Assembly, shall be entitled to vote for Aldermen and Magistrate for said corporation; and no person shall be eligible to the office of Alderman or Magistrate unless he be a citizen of said town of Lynchburg for three months preceding said election. Election.

SEC. 5. *Be it further enacted*, That the Sheriff or person holding the election shall, within three days after said election, deliver to the persons having the highest

Certificate. number of votes a certificate of their election; and the Alderman elect shall meet at some convenient place, and, upon presentation of the certificate of election to some Justice of the Peace of the district including the corporation or a part of it, he shall administer to them an oath of office, to the effect that they shall faithfully demean themselves as Aldermen during their continuance in office.

SEC. 6. *Be it further enacted*, That said Aldermen shall be elected for the term of one year, and until their successors are elected and qualified.

SEC. 7. *Be it further enacted*, That if, for any cause, the Sheriff shall fail or neglect to hold an election for the aforesaid officers on the first Thursday in August as above provided, he may at any time thereafter open and hold an election for the aforesaid officers, after giving ten days notice of said election, for the balance of the unexpired term.

Organization. SEC. 8. *Be it further enacted*, That said Aldermen, a majority of whom shall constitute a quorum, upon their meeting and qualifying as aforesaid in Section 5 of this Act, shall thereupon organize themselves and proceed to elect one of their body to preside as Mayor for the current year, or until his successor is elected and qualified.

Mayor. SEC. 9. *Be it further enacted*, That the said Mayor shall preside at all the meetings of the Board of Aldermen; shall take an oath of office, call special meetings of the board, when deemed expedient, see that the corporate laws and ordinances are duly enforced, issue corporate warrants on the Treasurer, when so ordered by the board; make such reports to the board as may be directed by ordinance, appoint person or persons to act as Town Marshal till meeting of the board, in the absecence, resignation or sickness of the regular corporate offices and also appoint special policemen to assist the Town Marshal when, in his opinion, the the occasion requires it.

Recorder. SEC. 10. *Be it further enacted*, That the Board of Mayor and Aldermen shall also elect a Recorder, who shall hold office for one year, or until his successor is elected and qualified.

Bond. SEC. 11. *Be it further enacted*, That the Recorder shall enter into bond, to be approved by the Mayor, payable to the Mayor and Aldermen of the town of Lynchburg, in such sum as the board may prescribe, conditioned upon the faithful collection and accounting for all moneys, fines and forfeitures as required by law, and shall take an oath for the faithful performance of his duties as Recorder, as required by law of said corporation.

Sec. 12. *Be it further enacted*, That the Recorder of said corporation shall be invested with full power and authority to try all offenses for violation of the ordinances and laws of the corporation, and said Recorder of town of Lynchburg is vested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State and the ordinances of the town of Lynchburg within the limits of said town, and in cases of violation of the State laws shall be entitled to the same fees that Justices of the Peace receive for like services.

Jurisdiction.

Sec. 13. *Be it further enacted*, That the Recorder shall keep the minutes of the meetings of the board and shall collect all fines assessed, also all merchants', privilege and *ad valorem* taxes, and on the judgments rendered against all violators of corporate ordinances and their sureties, shall be empowered to issue executions thereon and collect such penalties as Justices of the Peace are so authorized in judgments rendered by them. He shall render such reports as the board may require.

Minutes.

Collections.

Sec. 14. *Be it further enacted*, That the Recorder shall have power and authority to commit to the calaboose those convicted of violations of corporate ordinance who fail or refuse to pay or secure the fines and costs assessed by the Recorder, said offenders to be disposed of as provided in Section 3 of this Act.

Sec. 15. *Be it further enacted*, That the Board of Mayor and Aldermen shall also elect a Treasurer, who shall hold his office for one year, or until his successor is elected and qualified, who shall take an oath of office for the faithful performance of his duties as Treasurer of town of Lynchburg, and shall make bond, payable to the Mayor and Aldermen of town of Lynchburg, to be approved by the Mayor, and in such sum as the board may prescribe, conditioned upon the faithful performance of his duties as Treasurer in the collection and accounting for all moneys coming into his hands as such Treasurer.

Treasurer.

Sec. 16. *Be it further enacted*, That it shall be the duty of the Treasurer to receive from the Recorder and other persons having corporate funds all moneys belonging to said corporation, and shall pay out corporate moneys only on warrant signed by the Mayor, and shall make such reports of the same as the board may order.

Funds.

Sec. 17. *Be it further enacted*, That the Mayor and Aldermen shall also elect a Town Marshal, to hold his

Marshal.

office for the term of one year or until his successor is elected and qualified, who shall make bond payable to the Mayor and Aldermen of the town of Lynchburg, to be approved by the Mayor, and in such sum as the board may prescribe, conditioned upon the faithful performance of his duties as Town Marshal. He shall also take an oath that he will faithfully discharge the duties imposed upon him by the laws and ordinances of said corporation and the laws of Tennessee, said oath to be administered by the Mayor.

Duty of Town Marshal.

SEC. 18. *Be it further enacted*, That it shall be the duty of the Town Marshal to arrest all violators of the ordinances and laws of said corporation and bring them before the Recorder for trial, or take bond for their appearance before the Recorder for trial in the sum of two hundred and fifty dollars, payable to the Mayor and Aldermen of the town of Lynchburg, or in case of arrest for drunkenness, or in case of their inability to furnish bail for their appearance before the Recorder, he shall commit said offenders to the jail or calaboose to be brought in a namable time before the Recorder for trial. He shall have power to arrest without warrant those violating the laws or ordinances of the corporation in his sight or hearing.

May execute State warrants.

SEC. 19. *Be it further enacted*, That the Town Marshal, charged with the execution of process, civil or criminal, shall have power to execute State warrants or other process as constables have under the laws of the State.

Compensation of officers.

SEC. 20. *Be it further enacted*, That the compensation of all officers of the corporation shall be fixed by ordinance before their election, and not increased or diminished during the term for which any officer may be appointed or elected; *provided* that no member of any municipal body shall receive more than two dollars for each regular meeting each member may attend.

Powers of Board.

SEC. 21. *Be it further enacted*, That the Mayor and Aldermen shall have full power and authority to dismiss or remove any officer or agent appointed or elected by them for incompetency, or any violation, neglect or disregard of the duties imposed upon them by the laws and ordinances of said corporation, or for any misconduct in office, and a majority of the Aldermen voting affirmatively can effect such dismissal. A majority of the Aldermen can also remove one of their own number for any misconduct in office if voting affirmatively, and in such proceeding Aldermen on trial shall be incompetent to vote.

Appropriations.

Sec. 22. *Be it further enacted,* That no appropriation of money or order involving it, to the amount of fifty dollars or over, shall be made unless the ordinance authorizing it be read once at two separate meetings and passed on second reading by the majority of said Board. All appropriatins of sums less than fifty dollars may be made at one meeting and on one reading.

Election.

Sec. 23. *Be it further enacted,* That the Mayor and Aldermen may, by ordinance at any regular session, authorize the Town Marshal to hold the election of Aldermen and Magistrate of the town of Lynchburg, instead of Sheriff of Moore County, and may change by ordinance the time for holding said election; *provided* such change shall not in any event postpone the time of election more than forty days, and no compensation shall be allowed to or drawn by any Mayor or Aldermen for the time over which their term of office may be extended by such change, and such change shall be made at least ten days before the time established for the election, and no oftener than once in five years.

Taxes.

Sec. 24. *Be it further enacted,* That the Mayor and Aldermen shall have power to collect the corporate taxes assessed, either through their own officers or the County Trustee of Moore County, as they may prescribe by ordinance.

No donations or stock in corporations.

Sec. 25. *Be it further enacted,* That the Mayor and Aldermen are expressly forbidden from making any appropriation of money or credit in the way of donation for festivities, pageants, excursions or parades, nor shall said municipality be authorized to subscribe stock in any railroad company or any other corporation, or give or lend any money, aid or credit to any person or corporation whatever, and said municipality is forbidden appropriating money for any purpose not strictly municipal, except in obedience to a vote of three-fourths of all the legal voters of said corporation.

Limit of tax levy.

Sec. 26. *Be it further enacted,* That the Mayor and Aldermen are hereby prohibited from levying a higher tax than seventy-five cents on the one hundred dollars of taxable property for all corporate purposes.

Sec. 27. *Be it further enacted,* That every warrant drawn upon the Treasurer shall show upon its face for what purpose it is issued.

Sec. 28. *Be it further enacted,* That no levy of taxes shall be made until a report of the town's finances shall be made to the Board by the Recorder from the corporate books.

Vacancies.

Sec. 29. *Be it further enacted,* That the Mayor and Aldermen shall be empowered to fill all vacancies in the

Board of Aldermen, and to elect persons to fill vacancies in the offices of Recorder, Town Marshal, and Treasurer, and shall have power to elect whatever other officers they may deem best to the interests of the corporation, and fix their compensation as in other cases.

SEC. 30. *Be it further enacted,* That in the absence, incompetence or sickness of the Recorder, the Mayor shall try all violations of corporate ordinances, and, in the absence, incompetence or sickness of both Recorder and Mayor, any Alderman designated by the Mayor shall act as Recorder.

Old officers hold over.

SEC. 31. *Be it further enacted,* That the persons holding the offices provided for in this charter shall continue to hold the same under their present election or appointment until their several terms shall expire, and all ordinances and laws in force immediately before the passage of this incorporating Act, so far as is consistent herewith, and all liabilities, claims and contracts arising thereunder, shall remain and continue as if this Act had not been passed.

Treasurer and Recorder.

SEC. 32. *Be it further enacted,* That at the expiration of the terms of office of the Treasurer and Recorder, they shall deliver to their successors in office all books and papers belonging to the corporation, and also make a final settlement with the Mayor and Aldermen, and pay to their successors all moneys in their hands belonging to said corporation, and on failure to pay over the same, or make settlement and payment, shall be liable to motion on their bonds for the amount due with 15 per cent. penalty and interest—motion to be made in the name of the Mayor and Aldermen of the town of Lynchburg.

SEC. 33. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 34. *Be it further enacted,* That this Act be declared to be a public law, and may be read in evidence in all courts of law and equity, and without proof.

SEC. 35. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 244.

AN ACT to change the county line between Roane and Meigs Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between the counties of Roane and Meigs be so changed as to detach from the county of Roane and attach to Meigs county all the land of J. J. Winton.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES.
Speaker of the Senate.
THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 245.

AN ACT to authorize the corporation of the town of Greeneville to create an indebtedness and to issue bonds for water-works and street improvement purposes.

May issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation of the town of Greeneville be and is hereby authorized to create an indebtedness and to issue bonds for water-works and for street improvement purposes, payable at such times and places and in such amounts as may be provided by ordinances of said corporation, and bearing interest not exceeding six per cent. per annum, the aggregate of said bonds not to exceed ten per cent. of the assessed value of the property assessed for taxes for corporation purposes.

Series, maturity, interest taxes.

SEC. 2. *Be it further enacted,* That the bonds to be issued under this Act for water-works shall constitute one series, and shall be styled "Water-works Bonds," and those to be issued for street improvement shall constitute another series, and shall be styled "Street Improvement Bonds." Each bond shall have coupons attached showing the amount of the annual or semiannual installments of interest thereon, and when the same falls due; each bond shall be signed by the Mayor and Recorder of said corporation, with the seal of said corporation. The coupons, when due, shall be receivable for any special taxes to be levied by said corporation for water-works or for street improvement purposes respectively.

SEC. 3. *Be it further enacted*, That in issuing said bonds the names of the parties to whom issued, with the number and dates of issuance, shall be entered by the Recorder in a well bound book, and the coupons and bonds, when taken up, shall be cancelled.

Special tax levy.

SEC. 4. *Be it further enacted*, That after the issuance of such bonds it shall be the duty of the Board of Mayor and Aldermen of said corporation, at the time of levying of the taxes for corporation purposes, to levy a special tax or special taxes, as the case may be, for water-works and street improvement purposes at least sufficient to pay the interest on the bonds as the same falls due.

Election.

SEC. 5. *Be it further enacted*, That no bonds shall be issued by said corporation for either of the purposes named until the same shall be authorized by a majority of the voters voting at an election to be held for that purpose, which election shall be governed by the same rules as other corporation elections, and in the ordering of such an election the amount of bonds proposed to be issued, and the purpose or purposes shall be specifically stated, and in case said corporation proposes to become a stockholder in any incorporated water-works company, and to issue bonds in payment of stock, the same shall be authorized by a three-fourths majority of the votes to be cast at such an election for this purpose.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March —, 1891.

W. C. DISMUKES.
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 246.

AN ACT to repeal Sections 9, 10, 11 and 12, of Chapter 40 of the Acts of 1868-69, passed 25th of February, 1869, and to abolish the Law and Chancery Courts of Union City.

Courts abolished.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sections 9, 10, 11 and 12, of Chapter 40 of the Acts of 1868–69, passed 25th February, 1869, be and the same are hereby repealed, and the Law and Chancery Courts of Union City in Obion County be and they are hereby abolished.

Transfer of causes.

SEC. 2. *Be it further enacted,* That at the first term of the Chancery Court and of the Law Courts of Union City which may be holden after the passage of this Act, it shall be the duty of the presiding Judge and Chancellor of said courts to order all causes pending in said courts, and which are not tried and determined at said terms of said courts, to be transferred from said courts to the Circuit and Chancery Courts of Obion County for trial and determination, and all bonds and recognizances of parties and witnesses in State or criminal causes then pending and not determined at said term of the Law Courts of Union City shall be taken to appear at the next term of the Circuit Court of Obion County, to be holden after this Act takes effect, and all such bonds and recognizances so taken shall be deemed and taken as valid and binding.

Clerks.

SEC. 3. *Be it further enacted,* That after this Act takes effect the Clerk of the Law Court of Union City and the Clerk and Master of the Chancery Court of Union City shall turn over to the Clerk of the Circuit Court of Obion County, and to the Clerk and Master of the Chancery Court of Obion County all records, papers, books and public property in their respective offices and belonging thereto, and it shall be the duty of the Clerks of said Circuit and Chancery Courts of Obion County to take charge of and safely keep the same, and they are hereby authorized to give and certify copies of all such books, records and papers in the manner now prescribed by law.

SEC. 4. *Be it further enacted,* That this Act take effect on and after the third day of August, 1891, and that all laws and parts of laws in conflict with the same be and they are hereby repealed.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 247.

AN ACT to extend the corporate limits of the city of Nashville.

Territory embraced.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the city of Nashville be extended so as to include the following territory, to wit: Beginning at the junction of North Vine, Clay and Darmstadt streets; thence northwardly with and including Darmstadt street, to a point opposite the north-west corner of lot 29, Cantwell's subdivision; thence to said point and along the northern line of said lot 29 to an alley; thence southwardly to the north-east corner of lot 2 in Cantwell's subdivision; thence southwardly along the eastern line of said lot 2 to the present corporation line.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 24, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 248.

AN ACT to amend the several Acts heretofore passed in relation to the Carroll Academy in Warren County, and to empower Trustees to sell the property thereof and apply the proceeds to the county school fund of Warren County.

Preamble.

WHEREAS, The entire property and assets of the Carroll Academy, in the county of Warren, now consists of two unimproved lots in McMinnville, the rents of which have not for many years been more than sufficient to keep them inclosed; and,

WHEREAS, The Trustees of said Carroll Academy property appointed by Section 2 of the Act passed January 15, 1838, Chapter 163, have all died without appointing their successors as therein provided, and the County Court of Warren County, at its January term, 1891, named as their successors Isaac Thurman, W. L. Swan, W. V. Whitson, R. M. Reams, and H. L. Walling with a view of a disposition of said property for the benefit of public schools of said county; therefore,

Trustees authorized to sell.

SECTION 1. *Be it enacted by the General Assemby of the State of Tennessee,* That the Trustees of Carroll Academy in the county of Warren be and they are hereby authorized to sell, either by direct sale to the highest bidder, or by a bill filed for that purpose in the Chancery Court having jurisdiction, as they may deem best. the grounds belonging to said academy, in the town of McMinnville, consisting of two vacant lots, one known as the "Carroll Academy" and the other as the "Ben Lomond College" lot.

Terms

SEC. 2. *Be it further enacted,* That the sale of said lots shall be made upon a credit of one and two years, and the proceeds of the sale, after payment of costs and expenses of the sale, shall be held as a part of the common school fund of the county of Warren, and, when collected, shall be paid over to the Trustee of Warren County for that purpose and no other, and shall be used as other public school moneys under existing laws.

Authority of Trustees.

SEC. 3. *Be it further enacted,* That said Trustees are hereby vested with all the rights and title to this property belonging to Carroll Academy that the original Trustees possessed and held, and should they sell without the intervention of the Chancery Court they are hereby authorized and empowered to execute a good and sufficient deed to the person or persons purchasing the same; *provided*, that in case the property is sold by the Trustees, they shall advertise the time and place of such sale in one of the newspapers published in McMinnville not less than twenty days before the day of sale, and purchase money notes shall be made payable to said Trustees for use of the common school fund of Warren County.

SEC. 4. *Be it further enacted*, That all laws in relation to said academy not consistent with this Act are hereby repealed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 249.

AN ACT to amend an Act entitled "An Act to amend Section 4 of an Act passed June 11, 1885," and approved June 12, 1885, entitled "An Act to divide the State of Tennessee into Judicial Circuits and Chancery Divisions, and to provide for the administration of justice and equity in the Circuit and Chancery and other inferior Courts of this State, and to fix the time for holding the terms of said Chancery, Circuit and other Courts," passed March 7, 1889, approved March 16, 1889, being Chapter 74, Acts of 1889, and to change the time for holding the Circuit Court for Hancock County, and to provide for the holding of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 74, Acts of 1889, be so amended as to require that the Circuit Courts for Hancock County be held on the first Mondays in January, May and September instead of on the second Mondays in January, May and September.

SEC. 2. *Be it further enacted*, That all bonds and recognizances taken to and process issued to and returnable to said second Mondays in January, May and September, shall be valid and binding and returnable to said first Mondays as aforesaid.

Sec. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that the same take effect from and after June 1, 1891.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 250.

AN ACT to amend Chapter 256 of the Acts of 1889, entitled "An Act for supplying and transcribing missing and mutilated Records of the Mountain District Land Office, and to make certified copies of the same legal evidence, and to make an additional appropriation for the same."

Whereas, The appropriation made by the said Act was only sufficient to supply one Index Book "A," and as Book "Y" was also destroyed and Book "O" was badly mutilated and partly destroyed during the late war and should be supplied as was intended by said Act; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 256 of the Acts of 1889 be so amended as to read, that the Register of the Land Office for the Mountain District at Sparta be and is hereby authorized to purchase two well bound books in which he will cause to be recorded the destroyed and mutilated volumes "O" and "Y," supplying the said records from the plots and certificates on file in Land Office, and the records in the Secretary of State's Office, and shall cause to be transcribed in the Index Book, already purchased for that purpose, a full and complete index to the two volumes, "O" and "Y," in the office.

SEC. 2. *Be it further enacted*, That Section 3 of said Act be so amended as to read after the word "provided" in the eleventh line of said section, "That not more than one thousand ($1,000) dollars in addition to the five hundred ($500) dollars already appropriated under this Act, shall be allowed for the purchase of said books and all work to be performed by the Register under this Act; *provided*, that the Register shall supply and index the two above mentioned books for the one thousand dollars herein appropriated.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 251.

AN ACT to repeal Chapter 105 of the Acts of 1887, and to change the county line between Dickson and Cheatham.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 105 of the Acts of 1887, passed March 11, 1887, being entitled An Act to change the line between the counties of Dickson and Cheatham, be and the same is hereby repealed, and that the line between Cheatham and Dickson Counties be changed, so as beginning at Paint Rock Bluff on Harpeth River, to run with the old county line between Cheatham and Dickson to Tracy Creek, thence down said creek to its mouth to Cheatham county line so as to include in Cheatham County what is known as the Horse Shoe.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 252.

AN ACT to amend Section 7 of Chapter 88 of the Acts of 1859-60, passed February 28, 1860, incorporating the town of Rutherford in the County of Gibson.

Acts of 1859-60 amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 7 of an Act passed February 28, 1860, being Section 7 of Chapter 88 Acts of 1859-60, incorporating the town of Rutherford in the county of Gibson, is here amended so as to read as follows: The inhabitants in the town of Rutherford, Gibson County, Tennessee, within the following boundaries are hereby constituted a corporation and body politic by the name and style of "Mayor and Board of Aldermen of Rutherford." The boundaries of said town of Rutherford shall be as follows: Beginning at a stake on the east side of the Mobile and Ohio Railroad about twelve feet from the center of said road, said stake being 10 poles north (18° west) from the 426 mile post on said road, runs thence west 72 poles to a stake; thence south 74 poles to a stake; thence west $117\frac{1}{2}$ poles to a stake; thence south 7°, east 222 poles to a stake; thence east $206\frac{4}{5}$ poles to a stake on the west side of the Mobile & Ohio Railroad bed; thence south 3°, west $30\frac{2}{5}$ poles to a stake, said stake being 17 west of the 425th mile post on the Mobile & Ohio Railroad; thence east 40 poles to a stake; thence north $321\frac{8}{25}$ poles to a stake; thence west $84\frac{8}{25}$ poles to the beginning.

Boundaries.

SEC. 2. *Be it further enacted,* That the Mayor and Board of Aldermen of Rutherford shall have perpetual succession; shall sue and be sued, implead and be im-

Corporate powers.

pleaded in all courts of law and equity, and in all actions whatsoever; may purchase, receive and hold property, both real and personal, within the said town; and may purchase, receive and hold property, both real and personal, beyond the corporate limits of the town, to be used for the burial of the dead, for a house of correction, a poor-house, a hospital, work-house and calaboose; and may sell, lease or dispose of such property for the benefit of the corporation, and do all other acts touching the same as natural persons can do. They may have and use a common seal, which they may change at pleasure.

Officers. SEC. 3. *Be it further enacted*, That the officers of the town of Rutherford, to be chosen by election of the people, shall be a Mayor, a Marshal and five Aldermen. Said Mayor and Aldermen shall constitute and compose the Town Council; said Mayor and Aldermen shall be *bona fide* citizens of and voters in said town; they shall be elected by the qualified voters of the town, and shall hold their office for one year, and until their successors shall be elected and qualified. The Mayor, Marshal or any Alderman, or any officer elected by the Town Council, removing from the corporate limits during their respective terms of office, shall thereby vacate said office.

SEC. 4. *Be it further enacted*, That the officers of the town of Rutherford to be elected by the Town Council shall be a Recorder, a Treasurer and such other officers, agents and servants as the council may deem necessary and may provide for by ordinance. The Recorder shall be chosen by the Town Council from the Aldermen-elect, and the Treasurer shall be chosen from the *bona fide* residents of and qualified voters in the corporation; *provided, however*, that the Town Council may elect one person to fill both the office of Recorder and Treasurer, and in case this is done, the said person so elected to fill both offices shall be of the Aldermen-elect; the Recorder and Treasurer shall be elected at the first meeting of the Town Council in each year, in such manner as the council, by ordinance, shall provide. The Town Council shall have the power to prescribe the duties of all such officers, agents and servants; the Town Council shall have the power to dismiss any officer, agent or servant elected by the voters of the town, or elected or appointed by the Town Council, for any misdemeanor or misconduct; *provided*, that it shall take two-thirds vote of the Town Council to so remove such officer, agent or servant, and their places shall be filled as other vacancies.

Sec. 5. *Be it further enacted,* That the Town Council shall, at its last regular meeting in June of each year, fix the salaries of the Mayor and Board of Aldermen and Marshal, to be chosen for the corporate year at the regular election; *provided,* that the incoming Board of Mayor and Aldermen may change the same by two thirds vote. The Board of Mayor and Aldermen of each year shall have the power to fix the salaries of all the officers elected by them, and all agents and servants employed by them, and said salary or compensation shall be fixed before said officer is elected, or said agent or servant is employed, which compensation shall not be increased or diminished during their continuance in office.

Salaries.

Sec. 6. *Be it further enacted,* That the election for Mayor and Board of Aldermen and Marshal of said town of Rutherford shall be held by the Sheriff of Gibson County, Tenn., or his deputy, and shall be assisted by two clerks and three judges; said judges and clerks shall be legal voters in said town; said election shall be held for the year 1891 on the second Friday in July, 1891, and ever thereafter on the second Friday in July of each year. The vote shall be by ballot, and the Board of Mayor and Aldermen shall fix by ordinance the place, the house, etc., of said election. Notice of said election shall be given for at least ten days before the date of the same. If the Sheriff should fail to hold said election at the time herein fixed, it shall be his duty to hold it as soon after as may be, after giving the required ten days' notice, and for failing to hold said election, as prescribed in this Act, he shall forfeit and pay to the said corporation the sum of fifty dollars, to be recovered by action of debt in name of the Mayor and Board of Aldermen of the town of Rutherford. If there is no Sheriff, or if for any reason the Sheriff should be incompetent, then the election shall be held by the Coroner of the county under the same rules, regulations and penalties as are herein prescribed for the Sheriff.

Election of officers.

Sec. 7. *Be it further enacted,* That the judges and clerks to hold the election shall be sworn and qualified according to the election laws of the State. The vote shall be by ballot and the same rules and regulations that are enforced in the various State and county elections shall be enforced in the election of the officers to be elected by the people under. It shall be the duty of the judges and clerks holding these corporation elections to file a properly authenticated poll list and tally sheet with the Recorder, who shall preserve the same.

Rules of elections.

Qualifications of voters.

SEC. 8. *Be it further enacted,* That the following shall be the qualifications for voting in the town elections:

1. He shall be qualified to vote for State and county officers.

2. He shall have been resident for six months preceding the election within the corporation limits, or shall be a *bona fide* owner of real estate in the corporate limits of the assessed value of fifty dollars.

3. If a non-resident of the city, but a *bona fide* owner of at least fifty dollars' worth of real estate within the corporate limits, he shall have the right to vote in all corporation elections.

Certificates of election.

SEC. 9. *Be it further enacted,* That the person receiving the highest number of votes for Mayor and Marshal shall be declared elected, and the five persons receiving the highest number of votes for Aldermen shall be declared elected, and it shall be the duty of the person holding the election to make out a certificate of the person so elected, and within three days after the election file the same with the Marshal elect, and a copy of the same with the Mayor elect, and the same shall be produced at the first meeting of the Board, and the same shall be spread of record on the minutes of that meeting.

In cases of tie.

SEC. 10. *Be it further enacted,* That in case there should be a tie in the election of Mayor, or Aldermen, or Marshal, or all or either, the judges and clerks shall certify the same to the officer holding the election, and said officer shall forthwith give notice of the same, and hold an election for the filling of the office in which the tie exists, and he shall advertise the same for ten days, and said election shall be held as hereinafter prescribed.

Organization and oath of office.

SEC. 11. *Be it further enacted,* That the Board of Mayor and Aldermen elect shall meet at the usual place of meeting on the second Tuesday in August of the year in which they are elected, at which time they shall be duly installed in office. The Mayor, Marshal and Aldermen shall each take an oath before entering upon the duties of their respective offices, to execute the same fairly, faithfully and impartially, and the Mayor and Aldermen shall also take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee. At the first meeting of the Board after its organization the Board shall elect a Recorder and Treasurer, as hereinbefore provided, and they shall, at this first meeting, elect or appoint such other officers as are then prescribed by ordinance, and before entering upon the discharge of the duties of office the Recorder and Treasurer shall take an oath to faithfully and honestly perform the duties of the office.

Vacancies.

SEC. 12. *Be it further enacted,* That in case of the death, resignation or removal of any office, elected by the people or by the Board during his term of officer the Board shall fill said vacancy by electing a successor; said election shall be held as soon after said vacancy occurs as ten days' notice of the election can be given before some regular meeting of the Board, and the person or persons so elected shall perform the same duties and be vested with the same powers and privileges as the person whose duties they are appointed to fill, and upon like condition.

Qualifications and duties of Mayor.

SEC. 13. *Be it further enacted,* That the Mayor shall hold his office for one year and until his successor shall be elected and qualified; no person shall be elected Mayor who is not at the time of his election a citizen of the State of Tennessee, and a resident and *bona fide* citizen of and voter in the corporation; it shall be the duty of the Mayor to preside at all meetings of the Council, to vote in the election of all officers of the town, and give the casting vote on all other matters; to take care that all the town ordinances are duly enforced, respected and observed; to call special sessions of the council when he may deem it expedient; to see that all the property of the city is protected and preserved; to take acknowledgement of all bonds of officers; to fill all vacancies except that of Aldermen until the same can be filled by election as hereinafter provided; to try all cases for the violation for any and all the ordinances of the corporation, and a Mayor's Court is hereby established, and the Mayor is hereby vested with all the powers of a Magistrate of Gibson County, and shall try all offenses against the peace and dignity of the town; *provided,* that in the absence of the Mayor, or in the event he shall for any reason be incompetent to try a case, the same power and duties are hereby conferred upon the Recorder, and in the event that both the Mayor and Recorder shall be absent or incompetent then the Justice of the Peace for Gibson County, resident within the corporation, shall have power to set and try corporation cases, his judgment showing that he sat in place of the Mayor or Recorder. In case a party accused makes oath that justice, in his opinion, will not be meted out to him, and his sworn application is supported by at least two disinterested parties, a change of venue may be had from the

Mayor's Court to the Justice of the Peace living in the corporate limits, and said Justice of the Peace is hereby empowered and authorized to try and decide said case under the ordinances of the town. All appeals from corporation cases shall be to the Circuit Court at Trenton, Tennessee. In the event an appeal is taken from any fine imposed by the Mayor or Recorder, or the corporate Justice of the Peace trying the case, to the Circuit Court at Trenton, Tennessee, the person so appealing shall give bond and security for the payment of the fine and costs, and to abide by and perform the judgment of the Court on appeal, and shall in no case be entitled to an appeal from said fine and cost on the pauper oath.

Mayor pro tem.

SEC. 14. *Be it further enacted,* That in the absence of the Mayor, for any reason, from a meeting of the Town Council it shall be the duty of the board to elect a Mayor *pro tem.* from their members, whose duty it shall be to preside at said meeting and discharge all the duties of Mayor, and all acts of said Mayor *pro tem.* and all maters of business of the board transacted while he is so acting shall be as valid and binding as if the Mayor was present in person.

Violations of city laws.

SEC. 15. *Be it further enacted,* That for any violation of the town charter, by-laws or ordinances coming to the knowledge of the Mayor, it shall be his duty to issue a warrant and order the arrest of the party or parties so offending to be brought before him for trial, and in the absence of the Town Marshal he shall have the power to appoint any citizen of the town to act as a special Marshal in such cases, or the Mayor may, for any violation of any of the by-laws or ordinances of the town, committed in his presence, order any person or persons to arrest said violator of the law and bring such person before him for trial, and any person or persons appointed by the Mayor to execute a warrant or ordered to arrest any offender for violation of the by-laws or ordinances committed in his presence who shall refuse to execute said warrant or arrest said offender, said person or persons shall be guilty of an offense against the corporation and finable as hereinafter provided in Section 17 of this Act for refusing to assist the Town Marshal.

Town Marshal.

SEC. 16. *Be it further enacted,* That the duties of the Town Marshal shall be as follows: He shall thoroughly acquaint himself with the laws and ordinances of the town, and he shall rigidly enforce the same, and for this purpose police authority is hereby given, which he may exercise without warrant in hand. He shall collect all fines in favor of the town; he shall collect all taxes levied by the council, except privilege and special taxes; he shall report quarterly the manner of all persons exercising a privilege in the corporation; he shall perform such other duties as the Town Council may, by ordinance, impose upon him.

Powers of Town Marshal.

SEC. 17. *Be it further enacted,* That the Town Marshal of Rutherford shall have the power to execute all civil and criminal processes in the corporate limits that Constables have, and for this purpose he is clothed with all the powers of a Constable. The Town Marshal shall have the power to execute all warrants issued by the Mayor, and make arrests for all violations of the town ordinances. He shall have the power to summons any person or persons to aid him in the execution of any process, or the arrest of any violator of the ordinances of the town, and upon their refusal to aid him in the execution of any process or the arrest of any persons for the violation of any of the ordinances of the town, such person or persons summoned and refusing shall forfeit and pay the sum of ten dollars for any such refusal, to be recovered before the Mayor for the use of the town, and on such fine being assessed by the Mayor it shall be recovered as fines assessed for the violation of any ordinance of the town.

Recorder.

SEC. 18. *Be it further enacted,* That the duties and powers of the Recorder shall be as follows: He shall keep in a well-bound book an accurate minute of all the proceedings of the Town Council, issue all privilege license and collect the taxes on the same; he shall collect all special taxes levied by the Town Council, unless otherwise ordered by the council, and shall keep a proper ledger account of all the taxes and revenues collected by him; he shall have supervision over the cemeteries, and shall, at the prices fixed by the council, sell all grave lots and keep a faithful record of the same; he shall make out the tax books for the town and turn the same over to the Marshal at the date fixed by the Town Council, and in assessing the taxes and turning the same over he shall be under the State laws regulating and governing the assessors of State and county taxes; he shall draw a warrant upon the Treasurer for all moneys ordered to be paid by the Town Council, and keep a record of the same in such manner as the Town Council may prescribe, and he shall do and perform such other duties as the Town Council may, by ordinance, impose upon him.

Treasurer.

SEC. 19. *Be it further enacted,* That the duties of the Treasurer shall be as follows: He shall receive from the Town Marshal and Recorder all funds whatsoever that come into their hands, and receipt for the same, and shall take care of and keep a proper account of the same, and he shall receive and take care of any other funds which shall be properly coming to the town from any other source, and for this purpose he shall keep such book or books as the Town Council shall direct; he shall pay out said funds only upon the warrant of the Recorder; he shall make out quarterly a full and explicit account of all finances under his control and report the same to the Town Council; he shall also make out a complete statement of all the finances of the city, which report and statement the Town Council may order published for the information of the town; he shall perform such other duties pertaining to his office as the Town Council may, by ordinance, provide.

SEC. 20. *Be it further enacted,* That the duties of the other officers, agents and servants of the town shall be such as the Town Council by ordinance may prescribe.

Bonds of Officers.

SEC. 21. *Be it further enacted,* That before entering upon the discharge of their respective duties the Marshal, Recorder and Treasurer shall each enter into bond in the sum of five hundred dollars, conditioned upon the faithful and proper performance of their duties; said officers shall also enter into bond with good and sufficient securities in double the supposed amount of money which may come into their hands, conditioned upon the faithful and diligent collection and faithfully accounting for all moneys that shall or ought to come into their hands for fines, forfeitures and other moneys due the town, and which ought by law to be collected and paid over by them, and in the event the council elect one man to fill the office of both Treasurer and Recorder, such officer shall execute bonds as herein as Recorder and as Treasurer. The Marshal shall be liable as herein mentioned for failing to collect money, return process, or pay over money collected by process issued by the Mayor, and fines and penalties collected by him; and the Recorder shall be liable for failing to collect any and all moneys which it is made his duty to collect under this charter. Said bonds shall be made payable to the Mayor and Board of Aldermen of Rutherford and their successors in office for the use and benefit of said town; said bonds shall be approved by the Board of Mayor and Aldermen at a regular meeting or a meeting called for the purpose, and shall be spread of record on the minutes; and the bonds shall be filed and carefully preserved among the records of said town. A copy of said bonds, certified by the Recorder, shall have the same force and effect of certified copies from courts of record. No officer of the corporation shall become a bondsman for any other officer.

Fees and salaries.

SEC. 22. *Be it further enacted,* That the Mayor shall have and receive such fees for the trial of all cases brought before him as are allowed justices of the peace of the State of Tennessee for the trial of criminal offenses. The Marshal, for arrest, etc., shall be entitled to have and receive such fees as constables are entitled to receive for similar services, as the council may provide. The Recorder shall not have exceeding one dollar for issuing any privilege license for such grave lot sold, and not exceeding twenty dollars for making out the tax books. The Treasurer, or Recorder acting as Treasurer, shall receive for handling the money of the corporation not exceeding three per cent.; *provided,* that the fees herein allowed shall not prevent the Board of Mayor and Aldermen from fixing in addition thereto such salaries as they see proper for said officers in addition.

Powers of Council.

SEC. 23. *Be it further enacted,* That the Town Council shall have power by ordinance within the corporate limits—

1. To levy and collect taxes upon all real and personal property, polls and privileges, taxable by the laws of the State of Tennessee.

2. To appropriate money and provide for the payment of all debts and expenses of the town.

3. To license, tax and regulate every thing, person, business and corporation licensed, taxed and regulated by the State and county.

4. To open, establish, extend, widen, alter, abolish and discontinue any street or streets, grade, pave and otherwise improve, clean and keep in repair streets, alleys and sidewalks and establish, maintain and keep in repair crossings, brides, culverts, sewers and gutters, or alter, change or abolish the same, or have the same done.

5. To prevent all encroachments into and upon all streets, sidewalks, lanes, avenues and alleys established by law or ordinance, and to recover the same.

6. To remove all obstructions from the sidewalks and

streets, and to provide for the construction and repair of all sidewalks, curbstones, gutters and culverts and sidewalks, and for the cleaning and keeping in repair of the same, at the expense of the owner of the ground fronting thereto.

7. To provide for lighting the streets, alleys, avenues and public places.

8. To regulate the use of lights, stove-pipes, flues, etc., in all houses, shops, stables, kitchens and other places.

9. To regulate the storage of gunpowder, tar, pitch, rosin, saltpeter, gun-cotton and all other combustible materials.

10. To regulate, restrain and prohibit the erection of wooden buildings in any part of the town.

11. Regulate, restrain and prohibit the establishment and carrying on of manufactures dangerous in causing, producing or spreading of fires.

12. To provide for the prevention, spread and extinguishment of fires, and provide for the organization and maintenance of fire companies.

13. To erect market-houses, establish markets and regulate the same.

14. To provide for the buildings necessary for the use of the town.

15. To provide for the inclosing, improving and regulating of all public grounds belonging to the town, in or out of the corporate limits.

16. To regulate or prohibit and suppress all disorderly houses and bawdy houses.

17. To regulate the police of the town; to impose fines, forfeitures and penalties for the breach of any law, by-law or ordinance, and to provide for the recovery and appropriation of the same and to appoint an officer, being the Mayor, before whom such recovery may be had, not, however, to exclude the jurisdiction of Recorder or the Justice of the Peace within said corporate limits as hereinbefore provided; *provided, however*, that the penalties prescribed shall not exceed fifty dollars and cost, and thirty days' imprisonment for any single offense.

18. To provide for the arrest and confinement, until trial, of all disorderly, violent and riotous persons within the corporate limits, by day or night; to authorize the arrest and detention of all suspicious persons found violating any ordinance of the town.

19. To prevent and punish, by pecuniary penalties or otherwise, all breaches of the peace, noise, disturbance,

disorderly conduct or disorderly assemblies in any alley, street, house or other places in the corporate limits, by day or night.

20. To erect, organize and maintain and regulate within or near the corporate limits a calaboose and work-house for the safe and proper detention of all persons committed to the same, under the powers granted in this charter, and the Mayor is hereby empowered to commit offenders to said calaboose and work house.

21. To commit any person who may fail or refuse to pay any fine or cost imposed on him or her by any ordinance of said town to the calaboose or work-house until such costs and fines be fully paid. Every person so committed to the calaboose or work-house shall be required to work for the town at such labor as his or her strength will permit within or without said calaboose or work-house, not exceeding ten hours each day, and for such work the person so working shall be allowed, exclusive of board, a credit upon such fine and costs of fifty cents a day, until the whole is discharged, when such person shall be released.

22. To prevent, suppress, abate and remove all nuisances.

23. To make regulations to prevent the introduction of contagious diseases into the town and the spread of the same; to establish a Board of Health for this purpose, who are empowered to enforce the ordinances relating thereto within one mile of the corporate limits.

24. To establish hospitals and make regulations for the same.

25. To make general regulations to secure the health of the inhabitants of the town.

26. To establish a system of free schools and maintain the same by taxation when such taxation shall have been ratified by two-thirds of the qualified voters of the town voting at an election held for the purpose, and to regulate said school so as to avoid race or sectarian influences.

27. To establish standard weights and measures and regulate the weights and measures to be used in the town in all cases not otherwise provided by law.

28. To provide for the inspection of timber and other building materials.

29. To provide for the inspection and weighing and measuring anything not prohibited by the State law.

30. To prepare and publish a digest of all the ordinances and restrictions of a public nature within six

months after the passage of this Act, and a like digest as often thereafter as they may deem necessary.

31. To pass all ordinances not contrary to the Constitution and the laws of the State that may be necessary to carry out the provisions and full intent and meaning of the object of this incorporation.

Sec. 24. *Be it further enacted,* That all ordinances shall be signed by the Mayor and Recorder, and the same shall be spread upon the minutes of the Council, and shall then be filed and preserved among the records of the town. They shall also be recorded in a book kept for the purpose, and a certified copy of an ordinance, from the minutes or from the book kept for the purpose, shall be full evidence of the same in all trials in any of the courts of this State; the certificate to be made by the Mayor or Recorder under the seal of the corporation, if the corporation use a seal.

Collection of taxes.

Sec. 25. *Be it further enacted,* That the Town Council shall have full power to enforce the collection of all taxes assessed upon personal and real property, polls and priviliges, and to this end the Marshal of the town of Rutherford is clothed with all the powers for the collection of taxes on personal and real property and polls in the corporation that is by law conferred upon the collector of State and county taxes of the same character, and the Recorder of the town of Rutherford is clothed with all the powers for the collection of privilege taxes in the corporation that are by law conferred upon the collector of State and county privilege taxes, and these officers are empowered to collect the taxes with the same penalties prescribed by the State law.

Same.

Sec. 26. *Be it further enacted,* That the Town Council shall have full power to collect all delinquent taxes and priviliges that become due the corporation, and to this end they shall have power to appoint such officers and agents as they shall deem expedient, who are hereby empowered to proceed to collect all such delinquent taxes in the same manner that delinquent State and county taxes are here collected, and the general statutes of Tennessee in force as to the mode of collection, penalties, etc., at the time the collection of said taxes shall be enforced, shall apply to and inure to the benefit of the town of Rutherford for the collection of its delinquent taxes.

Sec. 27. *Be it further enacted,* That if the Recorder or Marshal of the said town of Rutherford shall fail to collect, or after collecting fail or refuse to pay over any money by either of them received for the use of the town, such Recorder or Marshal, as the case may be, shall be liable to be proceeded against, by motion or original suit, in the Circuit Court of Gibson County, or any other court having jurisdiction of the person of such Recorder or Marshal, as the case may be, and it shall be the duty of such court to enter up judgment against such delinquent officer and his securities for the money so received, or that ought to have been collected, in the name of the Mayor and Board of Aldermen of Rutherford for the use of said town, provided that in case the action shall be commenced by motion such officer shall have five days' notice of the same.

SEC. 28. *Be it further enacted,* That all ordinances and by-laws now in force in said town of Rutherford shall be and remain in full force until altered, modified or repealed under the provisions of this Act.

SEC. 29. *Be it further enacted,* That this amended Charter is declared to be a public Act, and may be read in all the courts of this State without proof.

SEC. 30. *Be it further enacted,* That all Acts or parts of Acts contrary and inconsistent with the provisions of this Act, or within the purview thereof, are hereby repealed.

SEC. 31. *Be it further enacted,* That this Act take effect from and after its passage, the welfare of the town of Rutherford demanding the same.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 253.

AN ACT to repeal so much of the Acts of 1889, Chapter 13, passed February 14, 1889, and approved February 16, 1889, as relates to the terms for holding the Chancery Courts of Grundy County, and to provide for holding said courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Chancery Courts of Grundy County shall hereafter be held on the first Wednesdays after the second Mondays in February and August, instead of the fourth Mondays in April, August and December, as now provided by law.

SEC. 2. *Be it further enacted,* That so much of Chapter 13, of the Acts of 1889, passed February 14, 1889, and approved February 16, 1889, as clothes the Circuit Judges of the Sixth Judicial Circuit of Tennessee with the power and authority to hold the Chancery Courts of Grundy County be and the same is hereby repealed, and said courts shall be held by the Chancellor of the Third Chancery Division.

SEC. 3. *Be it further enacted,* That this Act shall not operate so as to change the April term, 1891, of said court, but the same shall be held as now provided by law.

SEC. 4. *Be it further enacted,* That this Act take effect from and after the April term, 1891, of said court, the public welfare requiring it.

Passed March 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 254.

AN ACT to change the line between the counties of Rutherford and Cannon so as to detach one acre, ten poles of land and half of the Porterfield Schoolroom from Rutherford county and attach the same to Cannon county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Rutherford and Cannon counties be changed by beginning at a rock in the Cannon county line; thence due west running through the center of "Porterfield Schoolroom" 25 poles to the west door; thence north 6⅝ poles to the lane; thence east 25 poles to corner of Cannon county line, containing one acre and ten poles, and that the same be detached from Rutherford and attached to Cannon county.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 27, 1891.

JOHN P. BUHANAN,
Governor.

CHAPTER 255.

AN ACT to change the line of Claiborne and Union counties.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Claiborne and Union be so changed as to include all the land of Alvin Brogans in Union county and all the land of Frankey Collins in Claiborne county.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 3, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 256.

AN ACT to create a Board of Public Works for the town of South Pittsburg, in Marion County, Tennessee, for the purpose of providing necessary sewerage in said town, and to authorize the Board of Mayor and Aldermen to issue twenty thousand dollars in coupon bonds for said purpose, and to provide a "Sinking Fund."

May issue bonds.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Mayor and Aldermen of the town of South Pittsburg, in Marion County, Tennessee, are hereby authorized and empowered, in their corporate capacity, to issue coupon bonds of said town, signed by the Mayor and countersigned by the Recorder of said town, to an amount not to exceed twenty thousand dollars, the proceeds of which shall be used to construct a system of sewerage in said town; *provided, however,* that said bonds shall not be issued until an election is held in said town which shall authorize the issuance of said bonds.

Election.

Sec. 2. *Be it further enacted,* That the Board of Mayor and Aldermen of said town shall by ordinance appoint some suitable time at which to hold said election, and shall designate some fit person to open and hold the same, and that said election shall be held under such regulations and restrictions as the Board of Mayor and Alderman may by ordinance ordain and establish. If the qualified voters of said town fail to authorize the issuance of said bonds at the first election, the Board of

Mayor and Aldermen may by ordinance order a second election under this Act.

Voters.

SEC. 3. *Be it further enacted,* That all persons who would be qualified under the laws of the State and the ordinances of said town to vote for Mayor and Aldermen shall be qualified to vote in any election held under the provisions of this Act.

Two-thirds vote required

SEC. 4. *Be it further enacted,* That if, at any election held under the provisions of this Act, two-thirds or more of all the votes cast shall favor the issuance of said bonds then the said Board of Mayor and Aldermen shall issue the said twenty thousand dollars in bonds, or so much thereof as they may deem proper.

Value and interest.

SEC. 5. *Be it further enacted,* That said bonds shall not be sold for less than par value, and shall not bear a greater rate of interest than six per centum per annum, payable annually; the Board of Mayor and Aldermen shall fix the time said bonds shall run, *provided, however,* no bonds shall run for a longer period than thirty years nor less than three years. Said bonds may be of any denomination from one hundred dollars to one thousand dollars each; each bond shall bear a coupon for each annual installment of interest due on said bond; all of said bonds and coupons shall be signed by the Mayor with his official signature, and countersigned by the Recorder and be sealed with the seal of the corporation; each bond and coupon shall be numbered *seriatim,* beginning with the number 501; the coupons attached to these bonds shall, at maturity, be receivable for all taxes and dues to the corporation, except for the "Sinking Fund Tax."

SEC. 6. *Be it further enacted,* That the Board of Mayor and Aldermen are hereby invested with power to levy a special tax sufficient to provide a sinking fund with which to pay off or retire said bonds as they may, from time to time, fall due. All sinking fund taxes shall be invested in the bonds of the corporation. Whenever any bond is purchased the same shall be cancelled in open session of the Board of Mayor and Aldermen in such manner as may be prescribed by ordinance.

Special tax.

Board of Public Works.

SEC. 7. *Be it further enacted,* That there shall be a "Board of Public Works" to carry out the provisions of this, consisting of three citizens, freeholders of said town, who shall be elected by the Board of Mayor and Aldermen at the first regular meeting after the issuance of said bonds has been authorized, in accordance with this Act, and who shall hold their office for two years from the date of their election, and receive such compensation as the Board of Mayor and Aldermen may by ordinance fix; *provided*, that each of said members shall enter into bond in the sum of $5,000, conditioned to faithfully discharge the duties of said office; *provided, further*, that not more than two of said "Board of Public Works" shall belong to the same political party.

Sewers.

SEC. 8. *Be it further enacted*, That said Board of Public Works shall be authorized to build sewers, and to provide the town of South Pittsburg the necessary sewerage from time to time, as the public welfare and health may require, from the proceeds of said improvement bonds.

Powers of Board.

SEC. 9. *Be it further enacted*, That the Board of Public Works, created in this Act, shall have entire supervision and control over the construction of all sewers, and shall control the expenditure of all funds for such purpose arising from the sale of bonds contemplated in this Act.

SEC. 10. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 257.

AN ACT to prevent the taking or catching of fish by means of any seine or net from any running stream of water in Sullivan County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person to take or catch fish by means of any seine or net in or from any running stream of water in Sullivan County, Tennessee; *provided*, that this Act shall not apply to seines or nets which are used for catching minnows with which to fish by angling or trot lines; *and provided further*, that this Act shall not in any way affect right of owners or persons of private ponds to catch or take fish therefrom at any time and in any manner they may wish.

SEC. 2. *Be it further enacted,* That any person violating Section 1 of this Act shall be deemed guilty of a misdemeanor, and on conviction shall be fined not more than twenty-five dollars and not less than five dollars.

SEC. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 258.

An Act to change the line between the counties of Rutherford and Davidson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the county of Davidson and the county of Rutherford be so changed as to include all the lands of M. H. Mullins, J. V. Mullins, T. P. Waldron, Dr. S. B. Nelson, trustee for wife, and Chas. H. Gombille in the county of Rutherford.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 259.

AN ACT to enable and authorize the town of Pulaski, Giles County, to erect, maintain and operate an Electric Light or Gas Plant within the corporate limits of said town as now existing, or as the same may hereafter be changed by law, for the purpose of lighting the streets of said town and furnishing light to the citizens thereof for domestic, business and church uses.

Gas or electric plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Mayor and Aldermen of the town of Pulaski, Giles County, be and are hereby authorized to purchase, erect, maintain and operate an Electric Light or Gas Plant within the corporate limits of said town as now existing, or as the same may hereafter be changed by law, for the purpose of lighting the streets of said town and furnishing light to the citizens thereof for domestic, business and church uses.

Bonds and taxes.

SEC. 2. *Be it further enacted,* That to carry out the first Section above, the said Mayor and Aldermen are hereby empowered and authorized to issue bonds sufficient to raise money for the purpose of buying or erecting an Electric or Gas Plant with all the material necessary thereto, and to levy taxes upon all property and privileges in said town to meet the interest upon said bonds and to provide the means of paying off said bonds; *provided,* bonds shall not be issued in excess of ten thousand dollars, to run from five to twenty years, and in sums from one hundred dollars to one thousand dollars each, coupons payable semi annually, or to levy taxes upon all property and privileges in said town sufficient, within the limit of the law, to enable them to buy for cash or upon time and erect all necessary machinery, engines and material of every kind, to erect and operate said plant, or to purchase any gas plant now in said town.

SEC. 3. *Be it further enacted,* That said Mayor and Aldermen are hereby authorized and empowered to make contracts with citizens of said town to furnish them with electric or gas light for all domestic, business and church uses.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 260.

AN ACT to change the line between the counties of Overton and Putnam.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Oveton and Putnam be so changed as to detach the land of J. H. France from Putnam County and attach the same to the county of Overton.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 261.

AN ACT to amend Section 38 of an Act passed March 23, 1860, being Chapter 213 of the Acts of 1859 and 1860 of the General Assembly of the State of Tennessee, and entitled "An Act to extend the corporate limits of the town of LaGrange, reduce the several Acts of incorporation into one and amend the same, and for other purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 38 of an Act passed March 23, 1860, being Chapter 213 of the Acts of 1859 and 1860 of the General Assembly of the State of Tennessee, and entitled "An Act to extend the corporate limits of the town of LaGrange, reduce the several Acts of incorporation into one and amend the same, and for other purposes" be and is hereby amended by adding the words "and be a lien upon said lot or lots" after the word "work" in the fifteenth line of said Section No. 38.

SEC. 2. *Be it further enacted,* That said Section No. 38 be further amended by adding the words "enforced and" after the word "be" in said fifteenth line of said section.

SEC. 3. *Be it further enacted,* That said section No. 38 be further amended by adding at the end thereof the words, "the kind of material and character of work to be used in making and repairing sidewalks shall be decided by the Street Committee under the orders or ordinances of said board."

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 262.

AN ACT to incorporate the new school building in the town of Decaturville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That William Stuart, L. T. Smith, J. L. Tate, R. Smith, and D. E. Scott, be and are hereby appointed trustees for the new school building erected in said town, Decaturville, with the right to sue and be sued, and to transact all business necessary to the running or managing the schools taught therein, and that they hold their office until the second Tuesday in January, 1893, or until their successors are selected and qualified by an election of stockholders in said new school building, on the second Tuesday in January, 1893, and every two years thereafter.

SEC. 2. *Be it further enacted,* That said new building be and is hereby incorporated and known as the Decaturville High School, with power to grant diplomas.

SEC. 3. *Be it further enacted,* That the County Trustee of Decatur County be and is hereby authorized and empowered to sell to the highest bidder for one-third cash, balance in two equal installments of six and twelve months' time, with interest from the date of sale, and convey by general warranty deed the old female academy and lot situated in the town of Decaturville, Decatur County, Tennessee, and the said Trustee shall apply the proceeds of sale of said old academy to the discharge of the debt against the said new building.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 263.

AN ACT to authorize the County Court of Lawrence County to sell the Lawrenceburg or Jackson Academy, in the County of Lawrence, and to apply the proceeds thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of Lawrence County be and they are hereby authorized to sell the Lawrenceburg or Jackson Academy and grounds in the County of Lawrence, in one or more lots, as they may think most advisable, and upon such terms as they may think for the best interest of Lawrence County, and to appropriate the proceeds of such sale, first to the payment of the necessary expenses of selling the same; secondly, to the payment of the unpaid balances due on school orders for services rendered as common school teachers in Lawrence County, under the common school laws passed and in force soon after the war, and the balance, if any, to the common school fund of Lawrence County, *pro rata*; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 264.

AN ACT giving concurrent jurisdiction with the Chancery and Circuit Courts of Sullivan County to the Chancery and Law Courts at Bristol, Tennessee, of all civil actions arising between persons residing in the Third and Sixteenth Civil Districts of Sullivan County.

Chancery Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all persons residing or doing business within the Third and Sixteenth Civil Districts of Sullivan County may bring their suits in the Chancery Court at Bristol against any person or persons residing or doing business within said Third and Sixteenth Civil Districts, and said court shall have and exercise full jurisdiction over same, but no person or persons residing out of said civil districts and not doing business therein shall be sued in said court, unless the subject matter of said suit is situated in one or both of said civil districts.

Law Court.

SEC. 2. *Be it further enacted*, That all persons residing or doing business within the Third and Sixteenth Civil Districts of said county may bring their civil actions in the Law Court at Bristol against persons residing or doing business in said civil districts if they so desire, and said Law Court shall have and exercise full jurisdiction over same; and all civil causes heard and determined before any Justice or Justices of the Peace of said Third and Sixteenth Civil Districts may be appealed or brought up by writs of *certiorari* to said court; *provided*, the parties to the action reside or do business in either of them demand such appeal or writs of *certiorari*, and said Law Court shall have and exercise jurisdiction over all such cases as if the same had been heard by a Justice or Justices of the Peace of the Seventeenth Civil District of Sullivan County, where said court is located.

SEC. 3. *Be it further enacted*, That nothing contained in Sections 1 and 2 shall be construed to prevent any person or persons residing in said Third and Sixteenth Civil Districts of said county from bringing their suits in the Chancery and the Circuit Courts of Sullivan County if they so desire, the purpose of this Act being to give the Chancery and Law Courts of Bristol concurrent jurisdiction only in all causes of action arising between persons residing or doing business in said civil districts.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage the public welfare requiring it.

Passed March 30, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

CHAPTER 265.

AN ACT to amend an Act passed February 27, 1891, approved March 4th, 1891, entitled "An Act to compile the several Acts heretofore passed regulating the business of Fire and all other except Life, Plate Glass and Live Stock insurance into one Act and amend the same, and to repeal all laws in conflict with this Act," so as to allow the assets and reserve funds to stand in lieu of Capital Stock.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the portion of Section 14 of the Act referred to in the caption of this bill, which reads as follows: "*Provided, however*, if said company's capital stock and assets when prorated between the two or more classes of business the company desires to write, shall be sufficiently large, which when divided by the number of classes of business which said company proposes to transact, to give each character of business two hundred thousand ($200,000) dollars capital stock and one hundred thousand ($100,000) dollars invested as the law requires of a company doing only one class of business, said commissioner shall then grant license to said company to transact the several kinds of business desired and provided for in this Act," be so changed as to read, "*Provided, however*, if said company's capital stock, reserve funds or assets, when prorated between the two or more classes of business the company desires to write, shall be sufficiently large, which when divided by the number of classes of business the company proposes to transact, . to give to each character of business two hundred thousand ($200,000) dollars, assets or capital stock, and one hundred thousand ($100,000) dollars invested as the law requires of a company doing only one class of business. Said commissioner shall then grant license to said company to transact the several kinds of insurance desired and provided for by this Act, thereby allowing reserve funds and assets to stand in lieu of capital stock, no company, however, to be licensed having less than two hundred thousand ($200,000) dollars capital stock and $100,000 invested as the law requires of companies doing business in this State.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 25, 1891.

JOHN P. BUCHANAN,
Governor.

RESOLUTIONS.

SENATE JOINT RESOLUTIONS

NUMBER 1.

WHEREAS, It has been the custom of this General Assembly to defer the Appropriation Bill to the last day or days of the session; and,

WHEREAS, On account of the confusion attendant the many items of the Appropriation Bill do not or can not receive due consideration; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Appropriation Bill be reported by the appropriate committee to this General Assembly by or on the 55th day of this session for consideration.

Adopted January 26, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor

NUMBER 2.

WHEREAS, We view the introduction and prosecution of the Election Law, or Force Bill, by the Federal Congress as a declaration of war on the social and financial interest of the South; therefore, be it

Resolved, That we postpone action on the bill to appropriate $250,000 to make an exhibit of Tennessee's resources at the Columbian Exposition, to be held at Chicago in 1893, until the final disposition of the said Force or Lodge Bill.

Adopted January 21, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

JOHN P. BUCHANAN,
Governor.

NUMBER 3.

Be it resolved by the General Assembly of the State of Tennessee, That the Committees on Charitable Institutions, Penitentiary, and Education and Common Schools, of the Senate and of the House of Representatives shall each appoint a subcommittee, to investigate and report upon the condition of the several institutions of the State within the purview of said committee, respectively, and said Joint Committees are hereby authorized and empowered to sit during the recess from ——— to ——— and are required to make their several reports upon the re-assembling of the General Assembly on———. All evidence heard by said committees shall be taken in writing and accompany their reports, and to this end they may employ stenographers.

The Sergeant-at-Arms of the Senate and House of Representatives are hereby instructed to accompany said committees and carry out the orders given them by said committees.

The expenses of said committees to be provided for in the General Appropriation Bill; *provided*, that the subcommittees shall not exceed seven from each committee.

Adopted January 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 16, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 4.

Be it resolved by the General Assembly of the State of Tennessee, That the Speaker of the House, with the Speaker of the Senate, appoint a committee of three from the House and two from the Senate to examine the books, accounts, vouchers, etc., in the Treasurer's and Comptroller's office and settle with each incumbent, and that said committee be authorized to employ two expert accountants, reporting the result of their investigation as soon as possible to the General Assembly.

Adopted January 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 22, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 5.

WHEREAS, At the Extra Session of the Forty-sixth General Assembly of the State of Tennessee of the investigation of W. W. Wade, Chancellor of the Fifth Chancery Division, there was placed in the file of said investigation five commissions issued to T. W. Wade, Special Chancellor of said Chancery Division, which commissions are now in the office of the Secretary of State; and,

WHEREAS, The Secretary of State has in his office copies of all of said commissions in a book kept for that purpose; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State deliver to said T. W. Wade the commissions issued to him as aforesaid.

Adopted January 22, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 29, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 6.

WHEREAS, the sad intelligence of the death of Judge J. J. Williams, of Franklin County, has just reached us; and,

WHEREAS, he was a distinguished member of the Lower House of the Forty-fifth and Forty-Sixth General Assemblies of this State; and,

WHEREAS, as such Legislator he endeared himself not only to the members with whom he was associated, but to the entire people of the State; and,

WHEREAS, he was a man of honesty and integrity, a jurist of acknowledged ability, and a patriot whose every sympathy was with the people and their best interests; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That we deeply deplore the loss to our country occasioned by his death, that we as a body tender our condolence to his grief-stricken family, and that a copy of this resolution be sent to his wife.

Adopted January 22, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

JOHN P. BUCHANAN,
Governor.

NUMBER 7.

WHEREAS, There is pending before the United States Senate a bill known as the Conger Lard Bill; and,

WHEREAS, This bill is legislation aimed at a great Southern product, and if passed will inflict a most serious injury against the manufacturers of cotton seed oil, an agricultural product that Tennessee and the entire South has great interest in; therefore,

Resolved by the General Assembly of the State of Tennessee, That we are earnestly opposed to the passage of this bill, and our Senators in Congress from Tennessee are respectfully requested to use their influence and vote against the passage of said Conger Lard Bill.

Adopted January 15, 1891.

W. C. DISMUKES,
Speaker of the Senate.
THOMAS R. MYERS,
Speaker of the House of Representatives.
JOHN P. BUCHANAN,
Governor.

NUMBER 8.

WHEREAS, No committee appointed to investigate and report upon the books of the Comptroller and Treasurer of Tennessee has ever counted the coupons pasted into the bond and coupon books since July, 1884, down to and including the last July semi annual payment of interest; and,

WHEREAS, All committees, including the present, are appointed to examine said books have taken the reports of the Funding Board, composed of the Governor, Comptroller and Treasurer; and,

WHEREAS, It is impossible to identify the coupons paid off in the last two years; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Speaker of the Senate shall appoint two members of the Senate, and the Speaker of the House shall appoint three members of the House, and said members shall constitute a committee, whose duty shall be to count all the coupons paid off to and including December 19, 1890.

Resolved further, That said committee shall procure a rubber stamp so prepared that it will, when used, impress a large star and the words "Examined by the Committee, January, 1891," upon each coupon counted, said committee using red ink exclusively for that purpose.

Resolved further, That said committee is hereby authorized to employ two experts to count and stamp said coupons, who shall be paid out of the money which is hereby appropriated for that purpose, and also to pay for the rubber stamp and red ink.

Resolved further, That said committee, through said experts, shall count and stamp, as directed, all coupons paid under the Funding Act of 1883 down to December 20, 1890.

Resolved further, That said committee shall report the entire amount of coupons counted and stamped, and also the entire amount of credit allowed by the different funding boards for coupons cancelled under Acts of 1883 down to December 20, 1890, and that said commitee shall report the result to this General Assembly.

Be it further resolved, That all coupons cancelled by the Comptroller from and including December 20, 1890, and subsequently he, the said Comptroller, shall, after cancelling, stamp upon each the date of payment, so that Investigating Committee can hereafter identify the coupons paid during the biennial term of their examination.

Adopted January 22, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

JOHN P. BUCHANAN,
Governor.

NUMBER 9.

Whereas, The Committee raised by this General Assembly to investigate the books of the Comptroller and Treasurer and report the result of their examination found money and certificates cancelled, or said to be cancelled during the last biennial term, and amounting in round numbers to $98,000; and,

Whereas, There is in round numbers one million of dollars of said money and certificates now lying, or said to be lying, in the safe in the Comptroller's office which is said to have been cancelled by the Funding Board under former administrations; and,

Whereas, No committee has counted and passed upon said money and certificates so that it could be burned as the law directs; therefore, be it

Resolved, by the General Assembly of the State of Tennessee, That the Speaker of the Senate shall appoint two members of the Senate, and the Speaker of the House shall appoint three members of the House, whose duty shall be to count all of said money and certificates, look to the authority for their payment, that is to their pay warrants, and afterwards to destroy same by burning them as the law directs in order that they can in no way be used to defraud the State of Tennessee.

Adopted January 24, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 31, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 10.

WHEREAS, an Act has been passed by the present General Assembly, and approved by the Governor, authorizing an enumeration of all the male inhabitants of the State over the age of twenty-one years; and,

WHEREAS, the appointment of enumerators for this purpose will soon be made under the provisions of said Act; and,

WHEREAS, it is highly important that every enumerator so appointed should be fully informed as to his duty under said Act, in order that he may intelligently and legally perform said work; therefore, be it

Resolved by the Senate and House of Representatives, That 500 copies of said Act, authorizing said enumeration and defining the duties thereunder, be printed, and that at least one copy be inclosed with the commission issued by the Governor to each enumerator so appointed.

Adopted January 23, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 29, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 11.

WHEREAS, a bill has been introduced in this Senate appropriating $35,000 to the benefit of the Tennessee Soldiers' Home near Nashville; therefore, in view of the importance of the measure, be it

Resolved by the Senate and House of Representatives, That a committee of three from the Senate and five from the House be appointed to visit said Soldiers' Home, and gather all information obtainable necessary to the intelligent action of the two Houses upon the bill in question, and that said committee report in writing at the earliest day possible.

Adopted January 19, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved February 16, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 12.

Resolved by the General Assembly of the State of Tennessee, That the Senate and House meet in joint session in the Hall of Representatives, Tuesday, the 13th of January, at 11:30 A. M., for the purpose of counting the votes for Governor and declaring the result thereof.

Adopted January 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved January 22, 1891.

JOHN P. BUCHANAN.
Governor.

NUMBER 13.

WHEREAS, Since the adjourment of the last General Assembly of Tennessee the State has lost one of its most distinguished citizens and bravest soldiers in the person of ex-Governor John C. Brown, who was twice Governor of Tennessee, and was President of the convention which framed the Constitution under which we are now living; and,

WHEREAS, In all the positions of honor and trust filled by Governor Brown he manifested true and loyal devotion to the interests of his State, always displaying high character of statesmanship and patriotism in his public Acts; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That we express our deep regret at the death of our distinguished fellow citizen, and hereby tender our sympathies to his bereaved family.

Resolved further, That this resolution be spread upon the Journals of both Houses of the General Assembly and a copy of the same be forwarded to the family of the deceased by the Secretary of State.

Adopted February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 14.

Whereas, there are now subject to the call of the State $951,000 in six per cent. bonds, and $477,900 in five per cent. bonds; and,

Whereas, there are being made propositions to take joint bonds at a lower rate of interest, provided they can be funded for a fixed term of years; be it

Resolved by the General Assembly of the State of Tennessee, That a committee of two from the Senate and three from the House be appointed by the respective Speakers in connection with the State Funding Board to make inquiry and find out the best terms upon which said bonds can be funded, and report the same to the present General Assembly.

Adopted February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 15.

Whereas, In the burning of the Court-house at Altamont, Tennessee, in October, 1882, all the Supreme Court Reports that had been furnished to the Chancery Courts of Grundy County up to that time were destroyed by fire; and,

Whereas, None of said reports have ever been supplied or refurnished by the State, thus causing great inconvenience to the people of Grundy County, and especially to the Judges of the Courts, and the attorneys practicing at that bar; and,

Whereas, There is no law library at Altamont, nor in the county; therefore, be it

Resolved by the General Assembly of the State of Ten-

nessee, That the Comptroller be and he is hereby authorized and directed to furnish said Grundy County with one set of all the Reports that were issued up to and including the year 1882, or with such of them as have not gone out of print, one set for the Clerk and Master's office of Grundy County, Tennessee, and that the cost of the same be included in the general appropriation bill.

Adopted February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 16.

WHEREAS, Intelligence has reached us that another of the military heroes of the nation has fallen, and that Gen. William T. Sherman has been conquered by the last great enemy; therefore, be it

Resolved by the Senate of the State of Tennessee, the House of Representatives concurring, That in the death of Gen. William T. Sherman the army has lost one of its bravest leaders, and this nation one of its most distinguished citizens.

Resolved further, That we extend our profoundest sympathy to the family of the deceased, and that a copy of these resolutions be furnished them.

Adopted February 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 4, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 17.

WHEREAS, Under joint resolution of both Houses of the General Assembly, No. ——, the proportionate amount of the fund collected from the State by the General Government of the United States coming to Tennessee has been accepted; therefore, be it

Resolved, That the Governor is hereby empowered and directed to appoint some suitable person as agent to proceed to Washington and secure a copy of the records bearing upon this matter, and to secure such other matter as may be necessary to an equitable distribution of said fund; be it further

Resolved, That the Governor be empowered to pay said agent such reasonable compensation out of said fund as his Excellency may deem just.

Passed March 30, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 18.

WHEREAS, the entire male department of the Central Hospital for the Insane was destroyed by fire on the night of the 13th inst.; and,

WHEREAS, also, the buildings of the Western Hospital for the Insane have ample accommodations for and are in readiness to receive the male patients at the Central Hospital who are now without quarters; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Trustee and Superintendent of the Central Hospital for the Insane be authorized and directed as expeditiously as possible, to transfer the male patients thereat, about one hundred in number as reported by the Trustees, to the Western Hospital for the Insane, and that for the expense thereof the Comptroller is directed to issue his warrant to the President of the Board of Trustees of the Central Hospital for the Insane for the sum of one thousand dollars, or as much thereof as may be necessary, an account thereof being rendered, to be provided for in the General Appropriation Act.

Adopted March 16, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 19.

Be it resolved by the General Assembly of the State of Tennessee, That the sum of one hundred and ninety-five dollars be appropriated to pay Professor Frank Goodman and his assistants—Clear, Logan, Wright and Weakly—for their services in examining and auditing the books of the Comptroller and Treasurer, and that the same be provided for in the General Appropriation Bill, and that the Treasurer pay the same out of any money now on hand.

Adopted March 16, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 20.

Resolved by the General Assembly of the State of Tennessee, That the Trustees of the Tennessee School for the Blind are hereby authorized to convey to Miss A. Goldberg five feet fronting on the Lebanon turnpike running back about one hundred and twenty feet to an alley, in consideration that she will release to the State all her interest in the private alley which separates the colored school from the white school.

Adopted March 27, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS.
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 21.

Be it resolved by the General Assembly of the State of Tennessee, That the Printer to the State be and is hereby instructed to print and deliver the reports of the various State officers and institutions as follows:

Treasurer's Report—Five hundred copies for the use of the Senate, eight hundred and fifty for the use of the House, and two hundred and fifty for the use of the Treasurer.

Penitentiary Report—Three hundred copies for the use of the Senate, two hundred and fifty for the use of the House, and one hundred for the use of the officials.

Comptroller's Report—Fifteen hundred copies for the use of the Senate, two thousand for the use of the House, and twenty-five hundred for the use of the Comptroller.

Report of Insane Asylum, East Tennessee—Two hundred for the use of the Senate, three hundred for the use of the House, and five hundred for the use of the institution.

Report of Insane Asylum, Middle Tennessee—Two hundred copies for the use of the Senate, three hundred for the use of the House, and five hundred for the use of the institution.

Report of Insane Asylum, West Tennessee—Two hundred copies for the use of the Senate, three hundred for the use of the House, and five hundred for the use of the institution.

Report of the Commissioner of Agriculture—One thousand copies for the use of the Senate, five hundred for the use of the House, and fifteen hundred for the use of the Bureau.

Report of Deaf and Dumb Institute—Two hundred copies for the use of the Senate, three hundred for the use of the House, and six hundred for the use of the asylum.

Report of the School for the Blind—Five hundred copies for the use of the Senate, three hundred for the use of the House, and six hundred for the use of the institution.

Report of the Superintendent of Public Instruction—Five hundred copies for the use of the Senate, five hundred for the use of the House, and fifteen hundred for the use of the Superintendent.

Report of State Board of Health—Five hundred copies for the use of the Senate, three hundred for the use of the House, and one thousand for the use of the Board.

Report of Tennessee Industrial School—Two hundred copies for the use of the Senate, two hundred for the use of the House, and one hundred and fifty for the use of the institution.

Be it further resolved, That the reports above enumerated, together with the Governor's messages and inaugural address, shall constitute the appendices to the Journals of the Senate and House of Representatives, but the printer shall have pay only for one setting of type, as now required by law.

Passed February 27, 1891.

W. C. DISMUKES.
Speaker of the Senate.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 22.

WHEREAS, The Congress of the United States has passed an Act, approved March 3, 1891, entitled "An Act to credit and pay to the several States and Territories, and the District of Columbia, all moneys collected under the direct tax levied by Act of Congress," approved August 5, 1861; and under which first-named Act the Governor of the State is entitled to receive in trust for the purposes therein named the amount paid by citizens of the State of Tennessee, and other persons owning property therein to the United States under said Act of Congress, approved August 5, 1861; therefore be it

Resolved by the General Assembly of the State of Tennessee, That the amount of money appropriated by said Act of Congress, approved March 3, 1891, be and the same is hereby accepted under the conditions and for the uses and trusts imposed by said Act, and in full satisfaction of all claims against the United States on account of the levy and collection of said direct tax, and the Governor of the State be and he is hereby authorized and directed to receive said money for the uses and purposes aforesaid; be it further

Resolved, That the Governor be and he is hereby authorized, if in his judgment the same shall become necessary, to employ at such reasonable compensation as he may deem proper, a suitable agent or attorney to proceed to Washington City, D. C., and adjust with the officers of the Treasury Department of the United States the various amounts due under the provisions of said Act of Congress, approved March 3, 1891.

Adopted March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

ALLEN G. HALL,
Speaker pro tem of the House of Representatives.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 23.

Whereas, It appearing that J. Harvey Mathes was State and County Tax Collector on Privileges for Shelby County from April, 1870, to September, 1874, and collected and properly accounted for large sums of money for the State and for the County of Shelby amounting to several hundred thousands of dollars; and that in July 1872, acting in good faith and desiring to accommodate tax-payers and facilitate collections, he accepted checks from the City Bank of Memphis as follows:

For Shelby County warrants	$1,106
For State Comptroller's warrants	920
For Tennessee money	908

as evidenced by checks on file in the Comptroller's office, as well as other records; and,

Whereas, The said City Bank of Memphis failed on or about the last day of July, 1872, leaving these checks as worthless paper, never yet redeemed, in the hands of said Tax Collector on Priviliges, which he made good to the State and to the County of Shelby in his regular current settlements; and,

Whereas, The County Court of Shelby, at the recent January term, by unanimous vote, recognized the claim of said Mathes as one of equity and justice, and recommended that the Legislature pass an enabling Act that would meet the case and afford relief; now, therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Comptroller is authorized to investigate the matter so far as the State is concerned and report to this Legislature; and be it further

Resolved, That the Honorable Quarterly Court of Shelby County is hereby authorized and empowered to make equitable settlement with said J. Harvey Mathes as ex-Tax Collector on Privileges or with his heirs, assigns or executors as proof of his losses in the honest and faithful discharge of duty as an official may be made to appear from the records or other legal and competent proof to the satisfaction of the said Quarterly Court; be it further

Resolved, That this in no way commits the State to any liability.

Adopted March 14, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 18, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 24.

Be it resolved by the General Assembly of the State of Tennessee, That the Printer to the State be and is hereby instructed to print five (5,000) thousand copies of the Acts of the General Assembly, and seven hundred copies each of the Senate and House Journals and appendices, all to be bound in the usual style prescribed by law.

Be it further resolved, That the State Printer be authorized to print any additional number of said Acts as he may wish at his own expense for sale, but said Acts shall not be sold by him for more than one dollar and fifty cents per copy.

Adopted March 26, 1891.

W. C. DISMUKES,
Speaker of the Senate.

THOMAS R. MYERS,
Speaker of the House of Representatives.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor.

HOUSE JOINT RESOLUTIONS.

NUMBER 1.

Be it resolved by the General Assembly of the State of Tennessee, That a committee consisting of two members of the House and three upon the part of the Senate be appointed by the respective speaker to wait on his Excellency, Gov. Taylor, and inform him that the Forty-seventh General Assembly of Tennessee is duly organized and ready to receive any communication he may desire to transmit.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

The Governor having failed to approve the foregoing Joint Resolution within the time prescribed by law, the same becomes operative under the provisions of the Constitution of the State providing for such contingencies.

CHAS. W. CROCKETT,
Principal Clerk House of Representatives.

JAMES A. HARRIS,
Principal Clerk of the Senate.

NUMBER 2.

WHEREAS, The court-house of Chester County, Tennessee, was destroyed by fire on the morning of the 17th inst., together with all the books and property belonging to said county; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Comptroller be and is hereby directed to supply the Code of Tennessee (M. & V. edition) and a copy of the Acts of 1885, 1887 and 1889 to each of the following officers: County Court Clerk, Circuit Court Clerk, Chancery Court Clerk and Register, and also a full set of Supreme Court Reports to the Clerk and Master of said county, and that the cost of the same be included in the General Appropriation Bill.

Adopted March 20, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 3.

WHEREAS, The cisterns which are situated under the esplanade walls around the Capitol building are leaking badly and are needing to be cleaned out and repaired so as that the water supply for the closets and washing purposes for the Capitol will not become exhausted; and

WHEREAS, It is necessary that same be done at once, and the cisterns refilled before the spring rains cease, that being the only source by which they are filled—the water-works of the city of Nashville only throwing water to the base of the Capitol and lower than these cisterns; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol be and he is authorized to contract for and have done the necessary cementing, repairing and cleaning out of said cisterns, and the Comptroller is authorized to draw his warrant on the Treasurer for a sum not exceeding one thousand dollars, or so much thereof as may be necessary to pay for same when the Superintendent shall certify that the same has been done, said sum to be provided for in the general appropriation bill.

Adopted March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.
W. C. DISMUKES,
Speaker of the Senate.

Approved March 27, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 4.

WHEREAS, The tax on the Adams Express Company of one thousand dollars per annum and the tax of three thousand dollars per annum on the Southern Express Company is probably excessive for the business done in Tennessee, other than interstate business; and,

WHEREAS, Under our tax laws since 1875 said companies paid without resistance all tax as levied upon them, and have put the State to no expense; and,

WHEREAS, Said Companies have not paid any tax since the State lost the case of the United States Express Company *vs.* J. W. Allen, Comptroller, in the Circuit Court of the United States; and,

WHEREAS, Said Company now agree to pay nine thousand dollars back taxes due from same if the State will levy the tax on the Adams of five hundred dollars per annum, for the Southern two thousand dollars per annum, which is a just and reasonable tax; therefore be it

Resolved, That we do hereby authorize the Comptroller to receive the back taxes due, and that we will fix said tax in the future accordingly.

Adopted March 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 5.

Be it resolved by the General Assembly of the State of Tennessee, That the Funding Board created under Act of the General Assembly, passed March 15, 1883, being Chapter 84 of said Acts, consisting of the Governor, Comptroller and Treasurer be and are hereby authorized and empowered to borrow such sum or sums of money in the name of the State as said Board may deem necessary to supplement the funds in the State Treasury for the purpose of promptly paying the interest to fall due upon the bonds funded under the said Act of 1883, and those which may be hereafter funded under said Act, July 1, 1891, January 1, 1892, July 1, 1892, and January 1, 1893; be it further

Resolved, That said Funding Board, for all sums borrowed under authority of this resolution, shall execute the note or notes of the State, payable to the lender on time or demand, said note or notes to bear interest not exceeding the legal rate. Said board shall have the right to reduce and pay off said note or notes, with accrued interest, out of any funds in the Treasury not otherwise appropriated upon the Comptroller's warrant issued therefor. The Comptroller shall keep a record showing amount of said note or notes, when and to whom said note or notes were executed, and when same were paid; be it further

Resolved, That if in the discretion of said Funding Board it is thought expedient and to the interest of the State, that said board is authorized to appoint some bank in the City of New York a fiscal agent for the State of Tennessee for the purpose of paying the coupons of the funded bonds of the State, in the City of New York, as the same may become due.

Adopted March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 6.

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol shall have charge and control of all regular porters about the Capitol Building, except the one belonging to the Executive Department.

Adopted March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor

NUMBER 7.

WHERAS, At a former day of the present session of the General Assembly, House Joint Resolution No. 67 was adopted by the Senate and House of Representatives, looking to the investigation of certain fraudulent dispositions of the stock of the State in the East Tennessee and Georgia Railroad, amounting to $456,000; and

WHEREAS, The Committee appointed under said resolution have been unable to make such investigation on account of duties requiring their constant attention in the respective Houses; now therefore,

Resolved, by the General Assembly of the State of Tennessee, That the Chairman of the Committee appointed under said joint resolution is hereby empowered and authorized to appoint a subcommittee who shall proceed, after the adjournment of the present session of the General Assembly, to make the investigation as provided for in said House Joint Resolution No. 67, and make their report to the Treasurer of the State, and the said committee are clothed with full power to compel the attendance of witnesses and the production of papers, and all other powers provided in said joint resolution.

Resolved. That said subcommittee shall take the testimony of the witnesses in writing, and that the same be signed and sworn to and filed with their report, and the Treasurer is hereby authorized, upon receiving the report aforesaid, to take such steps as, in his opinion, the interests of the State demand.

Adopted March 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 30, 1891.

JOHN P. BUCHANAN,
Governor

NUMBER 8.

WHEREAS, We have received the startling intelligence that the Hospital for the Insane of Middle Tennessee has been destroyed by fire, and that a number of lives have been lost by the burning of the same; therefore, be it

Resolved by the Senate and House of Representatives, That a special committee of three on the part of the House, and two upon the part of the Senate, be appointed to investigate and report the cause and extent of said destruction, together with any and all further facts which they may obtain concerning the calamity.

Adopted March 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 9.

WHEREAS, The Superintendent of the Capitol has full police powers, and most of his duties are set forth in the laws of the State, yet there has arisen a question as to his power over the building at night; therefore, be it

Resolved, That the laws as to the duties of the Superintendent of the Capitol shall be so understood as to make it his duty to prohibit any one from sleeping and making any part of the Capitol building a place of lodging after night, and that it shall be his duty to exercise full police power, both night and day, over said building and grounds.

Adopted March 6, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 10.

Be it resolved by the Senate and House of Representatives, That in order to avoid either omission or duplication of appropriations already allowed per resolutions of each body, and also in order to avoid the usual confusion always attendant upon attempts to railroad through the General Appropriation Bill at the close of each session, the Chief Clerks of the Senate and House of Representatives, respectively, be required to prepare, under the direction of the Finance Committees of each body, the General Appropriation Bill. Be it further

Resolved, That the same be reported for passage on Tuesday, the 10th instant, in accordance with the provisions of Senate Joint Resolution No. 17, to only one branch of the Legislature; that it be then immediately acted upon and transmitted to the other House. The two committees are to decide whether the bill shall be reported first to the Senate or the House.

Adopted March 5, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 11.

WHEREAS, It is publicly announced that the Hon. James H. Aiken, of Williamson County, has been brought under the shadow of a sorrowful affliction in the death of a near relative, Mrs. George W. Anthony; and,

WHEREAS, The uniform courtesy and strict attention to business has characterized the deportment of Hon. James H. Aiken to such a degree as to endear him to the members of this General Assemby; therefore, be it

Resolved by the Forty-seventh General Assembly of the State of Tennessee, That the sincere sympathy of this body is hereby expressed in behalf of our worthy member, Hon. James H. Aiken; and, also, in behalf of the other members of the family of the late Mrs. George W. Anthony in this sad affliction.

Adopted March 9, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 12.

Resolution to furnish Acts, Codes and Supreme Court Reports of Tennessee, to the Law and Chancery Courts at Bristol, Sullivan County.

WHEREAS, A Law Court and a Chancery Court were established at Bristol, in Sullivan County, by Act passed in 1879, which Courts have been only partially supplied with the Codes, Acts and Supreme Court Reports of the State; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State is hereby directed to furnish to said Law and Chancery Courts such Codes, Acts and Supreme Court Reports of the State as have not heretofore been furnished them if he have them on hand, the cost of which shall be provided for in the general appropriation bill. Before furnishing said books the Secretary of State will ascertain from the Clerk and Master, and the Clerk of said Courts, what Codes, Acts, and Supreme Court Reports they already have, and he will in no case furnish them, or either of them, with any of said books which have been heretofore furnished them.

Adopted March 9, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 13.

WHEREAS, The county of Campbell had the misfortune in 1883 to lose their court-house and all the Supreme Court records and reports; therefore, be it

Resolved by the House of Representatives and the Senate, That the Secretary of the State of Tennessee furnish to the County of Campbell one set of all the reports of the Supreme Court of the State, provided the Secretary of State has them in his possession.

Adopted March 5, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 17, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 14.

Proposing an amendment to the Constitution of the State of Tennessee.

Resolved by the General Assembly of the State of Tennessee, That the following amendment to the Constitution of the State of Tennessee be and the same is hereby proposed, viz.: To add to Section 13 of Article XI., after the words "within the State," these words: Laws for the construction, maintenance, working and laying out of public roads, and laws defining and establishing legal fences or abolishing all fences, also laws regulating elections in this State.

Resolved further, That the foregoing proposed amendment be and the same is hereby referred to the Legislature to be chosen at the next general election for members of the General Assembly, and that the Governor or other proper officer shall cause the same to be published for six months previous to the day of said election, as provided by law.

Passed March 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 15.

Be it resolved by the General Assembly of the State of Tennessee, That J. T. Wooten, of Lafayette, County of Macon, State of Tennessee, be paid the sum of two dollars and seventy cents ($2.70) balance due him as a witness before the First Extra Session of the General Assembly of 1889, in the case for the removal of W. W. Wade, Chancellor, and that the Comptroller issue his warrant for the same and that the same be included in the general appropriation bill.

Adopted March 25, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 16.

Be it resolved by the General Assembly of the State of Tennessee, That the two Houses meet in joint convention in the hall of the House of Representatives at the hour of 12 o'clock M. on Wednesday, January 15, 1891, for the purpose of electing a State Librarian and Land Registers.

Adopted January 15, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

The Governor having failed to approve the foregoing joint resolution within the time prescribed by law, the same becomes operative under the provisions of the Constitution of the State providing for such contingencies.

CHARLES W. CROCKETT,
Principal Clerk of the House of Representatives.

JAMES A. HARRIS,
Principal Clerk of the Senate.

NUMBER 17.

authorize the Comptroller to draw his warrant for the payment of G. H. Morgan his mileage and per diem as a witness in the Wade investigation.

Resolved by the House of Representatives of the State of Tennessee, the Senate concurring, That G. H. Morgan, of Putnam County, be allowed and paid the sum of seventeen dollars and ninety cents, and that the Comptroller issue his warrant for the same, being his mileage and per diem as a witness in the Wade investigation at the Extra Session of the Forty-sixth General Assembly, the same being omitted from the bill of cost in said case by oversight, and the same will be allowed in the general appropriation bill.

Adopted February 27, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 18.

Be it resolved by the General Assembly of the State of Tennessee, That the State Librarian and the State Printer, acting under the direction of the Judges of the Supreme Court, the Judges thereof being by law custodians of the State Library, are hereby directed and empowered to perfect the Law Library of the State by exchanging with the proper authorities of the various States of the Federal Union such Tennessee reports as are now in stock and owned by the State for such volumes of the sets of the reports of these respective States as may be missing from the Library.

Be it urther fresolved, That $500 per annum, or so much thereof as may be needed, be and the same is hereby appropriated, to be included in the General Appropriation Bill, out of any moneys in the treasury not otherwise appropriated, to enable this exchange to be made; and should there remain any excess of this appropriation unexpended in this exchange the same will be expended for the purchase of such approved sets of English and Federal and other reports and books of the writings of standard legal authors as the Judges of the Court may direct.

Be it further resolved, That the Printer and Librarian act in this matter under the direction of the Judges of the Supreme Court, and shall report to them their acts and expenditures in the premises.

Adopted March 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 19.

Be it resolved by the General Assembly of the State of Tennessee, That the Forty-seventh General Assembly adjourn *sine die* at twelve noon March 30, 1891.

Adopted March 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 23, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 20.

Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State is hereby authorized to furnish three Codes for Justices for DeKalb County, they having never received same, the cost of same to be provided for in the general appropriation bill.

Adopted March 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved March 20, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 21.

WHEREAS, We have just learned with profound regret of the sad bereavement which has befallen Senator J. A. Barnes in the recent death of his daughter; therefore be it

Resolved by the General Assembly of the State of Tennessee, That we tender to Senator Barnes and family our heartfelt sympathy in this their sad bereavement.

Adopted February 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES.
Speaker of the Senate.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 22.

Resolved by the General Assembly of the State of Tennessee, That the election by the Board of Trustees of the University of Nashville of Edgar Jones, C. D. Berry and H. M. Doak as trustees, to fill vacancies in said board, be and the same is hereby confirmed.

Adopted February 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 23.

WHEREAS, We have been informed that the President of the United States, the Postmaster-general and other members of the Cabinet contemplate making a tour through the Southern States; and,

WHEREAS, It is right and proper to show respect and honor to our Chief Magistrate and to welcome him in the name of the Commonwealth to the capital of the State; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That an invitation be extended to President Harrison, Postmaster-general Wanamaker and other members of the Cabinet to include Nashville in their journey, and to accept the hospitality of the citizens of Tennessee.

Adopted February 19, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 24.

Be it resolved by the General Assembly of the State of Tennessee, That the election by the Board of Trustees of the Tennessee Deaf and Dumb School of John M. Allen and Henry T. Ault, to fill vacancies occasioned in the Board of Trustees by the death of Samuel B. Boyd and J. M. Thornburgh, is hereby confirmed.

Adopted February 19, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 26, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 25.

WHEREAS, By Act of Assembly of May 24, 1866, the State's stock in the East Tennessee and Georgia Railroad, amounting to $456,000, was loaned in trust to certain turnpike companies, or pretended turnpike companies, attempted to have been chartered by said Act of May 24, 1866; and,

WHEREAS, By the terms of Act authorizing said loan, said alleged turnpike companies were required, before they were entitled to the benefit of said loan, to procure a good private solvent subscription equal to the loan received by the State, and to do and perform every other condition precedent before taking the benefit of said stock, which were never complied with; and,

WHEREAS, In violation of the said Act of May 24, 1866, the officials of said railroad company and the charter members of said pretended turnpike companies and other corporations combined and colluded to absord the said stock belonging to the State, and utilized the same to their own private ends without pretense of complying with the terms of the Act under which said loan was made; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a joint committee of five, consisting of three on the part of the House and two from the Senate, be and is hereby appointed to make full investigation of the subject-matter covered by this resolution, and they will report,

1. What amount of stock the State owned or is now entitled to claim in the East Tennessee and Georgia Railroad.
2. What disposition was made of the same.
3. How much was legally and rightfully disposed of under the Act of 1866, above mentioned; to whom this sum was paid; for what purpose; what disposition was made of it; who received the proceeds of said stock and what became of the proceeds.
4. Said committee will report any and all other facts connected with this transaction, and said committee is hereby empowered to send for witnesses and papers and compel the attendance of such witnesses and the production of papers.
5. Said committee be required to take testimony and make full report on this subject. All testimony of witnessess shall be taken in writing in the form of depositions signed and sworn to by the witnesses, which shall accompany the report of the committee.

Adopted January 30, 1891.

THOMAS R. MYERS.
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 26.

Whereas, there are two Justices of the Thirteenth Civil District of Anderson County who have never had Codes furnished them by the State, now therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State be and he is hereby authorized to purchase two Codes and forward them to the County Court Clerk of Anderson County for the use of the two Justices of the Peace of the Thirteenth District of said county, the cost of same to be included in the General Appropriation Bill.

Adopted January 30, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 27.

Whereas, The court-house at Sneedville, Hancock County, Tennessee, was destroyed by fire, and in said fire the State reports belonging to the County, Circuit and Chancery Court Clerk's office were destroyed; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Comptroller furnish to the said County, Circuit and Chancery Court Clerks of said county of Hancock the reports of State, or such as he may have of them, from First Lea Reports to Twelfth Lea, inclusive, all having been lost issued since the issuance of First Lea and up to Twelfth Lea.

Adopted January 22, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 28.

WHEREAS, There are grave defects in the present Interstate Commerce Commission; and,

WHEREAS, The discrimination by railroads against small towns, weak companies, and private citizens, and in favor of large cities, powerful corporations, and favorite classes, is proving very destructive to the former; and,

WHEREAS, "Equal and exact justice to all and special favors to none" is the basis of all liberty, free institutions, and popular government; and,

WHEREAS, the present Inter-State Commerce Commission has proven wholly inadequate, therefore, be it

Resolved by the General Assembly of the State of Tennessee, That our Senators and Representatives in Congress be requested to urge the passage of such laws as will remove abuses now existing and give immediate relief to the classes aggrieved as set forth in the preamble, and as will secure the most rigid, honest, and just governmental control and supervision of the means of public transportation.

Adopted January 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 29.

Whereas, the United States of America having determined to hold a World's Fair in the city of Chicago, Illinois, in 1893, to be known as "The World's Columbian Exposition;" and,

Whereas, At said Exposition there will be congregated hundreds of thousands of citizens of the United States from every State and Territory of the American Union, and, also, citizens from every civilized country upon the globe, and those men representing millions of dollars will be looking out for and willing to make investments where profit is promised;

Therefore, we think our fields should be represented by our choicest products; our forests exhibit their finest timber; our mines of iron, copper, coal, zinc and marble, together with all our manufacturing and mechanical interests, should then and there be fully presented to the end that our vast resources may be seen and fully appreciated, and an impetus given to investment from abroad, which investment, backed by the courage and industry of our people, has already made the Volunteer State the grandest in the South, and which, if fostered and encouraged, will give her that pre-eminent position in this Union to which we think she is justly entitled; therefore, be it

Resolved by the House of Representatives of the State of Tennessee, the Senate concurring, That a committee of fifteen (15) members be appointed—eight from the House and seven from the Senate—to take into consideration "The World's Columbian Exposition" at Chicago, and suggest such legislation, etc., as they may think right and proper to enable the State to make a proper exhibit of her resources on that occasion.

Adopted January 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 23, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 30.

To print the necessary blanks and documents for the use of the Enumerators of the male inhabitants of the State of Tennessee under an Act passed by the Forty-seventh General Assembly of the State of Tennessee.

Resolved by the House of Representatives of the State of Tennessee, the Senate concurring, That the Secretary of State be required to have printed the necessary blanks and documents to carry out the sense and meaning of an Act entitled An Act to enumerate the male inhabitants of the State of the age of 21 years and older, and to mail the same to enumerators appointed under that Act.

Resolved further, That the expense of the same be provided for in the General Appropriation Bill.

Adopted January 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 31.

Resolved, That the Senate concurring, the Comptroller draw his warrant on the Treasurer for the following sums of money, the same being the expenses incurred by the inaugural committee:

Warren & Co., 200 chairs at ten cents	$ 20	00
Professor Fisher's Vendome Orchestra, music	80	00
Jake Brown, hauling flowers from Asylum	20	00
W. G. Curry, for flowers	50	00
Connell, Hall & McLester	2	00
Nashville City Transfer Co., carriage	5	50
W. R. Cornelius, for three carriages	16	50

Artillery Co., powder, etc	10 00
Marshall & Bruce	17 00
Total	$221 00

And be included in the general appropriation bill.

Adopted January 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 32.

Whereas, The death of Mrs. H. N. McTyeire is announced to have occurred on January 14, 1891; and,

Whereas, The noble character and general usefulness of her late husband, Bishop McTyeire, was such as to ever secure the universal appreciation of the people of Tennessee; and,

Whereas, It was due very largely to the personal influence of Mrs. McTyeire that the Vanderbilt University was located in the State of Tennessee; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That this body deeply laments the death of so estimable a lady, and will ever hold her memory in the profoundest respect.

Resolved further, That the most sincere sympathy is hereby expressed for the surviving members of the family in their heavy bereavement.

Adopted January 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 33.

Resolved, That the House, the Senate concurring, meet in joint convention on Monday, January 26, 1891, 12 M., in the Hall of the House, for the purpose of electing a Treasurer and Comptroller for the State for the next two years.

Adopted January 24, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 30, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 34.

Resolved, That the Subcommittees on Penitentiary, Charitable Institutions and Education, selected to work during recess, be allowed the sum of four dollars per day and hotel expenses for the time actually engaged in making their investigations, and that the amount necessary to pay the same be included in the general appropriation bill.

Adopted January 31, 1891.

THOMAS R. MYERS.
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 14, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 35.

WHEREAS, Mrs. S. P. Lowe, who retires from the office of State Librarian, has for four years discharged the duties of her office with marked ability, faithfulness and impartiality; be it

Resolved by the Senate and House of Representatives, That the thanks of this body be and are hereby tendered Mrs. Lowe for her faithfulness and efficiency in office, and that our best wishes attend her in whatever field of usefulness her future lot may be cast.

Adopted January 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.
W. C. DISMUKES,
Speaker of the Senate.

Approved January 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 36.

Be it resolved by the General Assembly of Tennessee, That the Committee on Public Grounds and Buildings of the House, together with the Committee on Public Grounds and Buildings of the Senate, shall be constituted a joint select committee who are hereby required to ascertain the cost of repairing the capitol, and report to this General Assembly at its earliest convenience the results of its investigation, with such recommendations as it may deem proper.

Resolved further, That said committee is hereby authorized to employ as many as two experts, if it sees proper, to aid it in making said investigation, the compensation of the same to be provided for in the general appropriation bill.

Adopted January 21, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.
W. C. DISMUKES,
Speaker of the Senate.

Approved January 28, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 37.

Be it resolved by the House, the Senate concurring, That a joint committee of three upon the part of the House and two upon the part of the Senate, be appointed upon inaugural ceremonies and arrangements.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. S. DISMUKES,
Speaker of the Senate.

Approved January 15, 1891.

ROBERT L. TAYLOR,
Governor.

NUMBER 38.

WHEREAS, It is the custom of the two Houses of the General Assembly to have printed a pamphlet containing the rules of the respective Houses and copies of the Constitutions of the United States and the State of Tennessee; and,

WHEREAS, The work known as "The Political and Official Manual," prepared by C. A. Miller, embraces same, together with other useful information necessary to the members of the General Assembly; and,

WHEREAS, By courtesy and comity of the States of the Union works of a similar character are exchanged between the State Libraries and Executive officers; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State furnish one copy to each of the members of the General Assembly and officers of the same, and one hundred and fifty copies to the State Library for exchange between the States, at a cost of not exceeding one dollar per copy, and that the Comptroller issue his warrant on the Treasurer to pay for same, the same to be provided for in the General Appropriation Bill.

Adopted January 15, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 30, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 39.

WHEREAS, a new Justice of the Peace has been elected for the town of Sneedville, in Hancock County; and,

WHEREAS, it has been the custom for the State to furnish Codes to the various Justices; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State be and he is hereby authorized to purchase a Code for L. C. Jarvis, Justice of the Peace at Sneedville, Hancock County, Tenn., the price of the same to be included in the General Appropriation Bill.

Adopted January 24, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 30, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 40.

Be it resolved by the General Assembly of the State of Tennessee, That three members of the House and two of the Senate be appointed by the respective Speakers to examine accounts and vouchers of the Bureau of Agriculture and report the result as soon as practicable.

Adopted January 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved January 23, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 41.

WHEREAS, the Comptroller's report shows that there has been either a great dereliction of duty on the part of the County Assessors to make the various incorporated companies throughout the State fill out the assessment blanks as prescribed by law, or that the companies have refused to do so; therefore, be it

Resolved, That each County Assessor is hereby required to make out and forward the State Comptroller at once a list of all incorporated companies in their respective counties now doing business, together with the amount of their capital stock and bonded indebtedness, and value of each, and total assessed value for 1890, and the Comptroller is hereby required to furnish necessary blanks for this purpose, and send also each assessor a copy of this resolution. Be it further

Resolved, That the County Assessor is hereby required to report to the Grand Jury each and every corporation refusing or failing to fill out the assessment blanks as required by law, and in the event he fails to so report then the Attorneys-general are hereby required to indict and prosecute him for failure to report as the law directs.

Adopted February 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 42.

WHEREAS, The death of the Hon. James Phelan, a member of Congress from the Tenth Congressional District of the State of Tennessee, is announced to have occurred on the 30th of January, 1891; and,

WHEREAS, The short career of our estimable statesman was so exceptionally brilliant, both in a literary and in a statesman-like capacity; and,

WHEREAS, It is entirely proper that this body, as representatives of the people, should express their appreciation of true merit and worth when exhibited in such a remarkable degree by a young man of our State; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That by the death of Hon. James Phelan the State has lost one of its most promising young men, and the deep sorrow of this body is hereby expressed. Be it further

Resolved, That the heartfelt sympathy of this General Assembly is hereby expressed in behalf of his family in their sad bereavement.

Adopted February 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 25, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 43.

WHEREAS, we have heard of the death of Hon. Wm. Windom, Secretary of the Treasury of the United States, and,

WHEREAS, in his death the country has lost a statesman of great ability, experience, and integrity; therefore, be it

Resolved by the General Assembly of Tennessee, That we express our profound sorrow, and regard his death as a national calamity.

Resolved, That we tender the sympathies of the members of this body to the family of the deceased.

Adopted January 31, 1891.

THOMAS R. MYERS,
Speaker of the House of Representative .

W. C. DISMUKES,
Speaker of the Senate.

Approved February 19, 1891.

JOHN P. BUCHANAN,
Governor.

NUMBER 44.

Be it resolved by the Legislature of Tennessee, That five thousand copies of the Message of Governor Buchanan be ordered for the use of the House, thirty-three hundred copies for the use of the Senate, and one thousand copies for the Governor; and that the Governor's Inaugural Address be printed along with the message.

Adopted February 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

W. C. DISMUKES,
Speaker of the Senate.

Approved February 19, 1891.

JOHN P. BUCHANAN,
Governor.

SENATE RESOLUTIONS.

NUMBER 1.

Resolved by the Senate, That Harry Coe be and is hereby appropriated the sum of $16 for services rendered as Page of the Senate during the organization, he having served as such officer four days, and that the same be included in the General Appropriation Bill.

Adopted January 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 2.

Be it resolved by the Senate, That the Sergeant-at-Arms of this body be authorized to draw upon the Treasurer of the State for the sum of ($5) five dollars for each member of this body for the purpose of buying stationery, as provided by Act of the General Assembly of 1889, and that the same be included in the General Appropriation Bill.

Adopted January 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 3.

Resolved, That the Assistant Clerk of the Senate be and he is hereby directed to prepare a roster of this body for the use of the Senate, House and Capitol officials, and that 250 copies be printed, and that the cost thereof be included in the General Appropriation Bill.

Adopted January 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 4.

Be it resolved by the Senate, That J. W. Barnes & Co. be paid $28.05 for necessary articles for the use of the Senate, purchased by our retiring Sergeant-at-Arms. Be it further

Resolved, That John P. Hickman, our retiring Sergeant-at-Arms, be paid twenty dollars for five days' services—one day before the assembling of the Senate and four days in its organization. Be it further

Resolved, That both of said amounts shall be included in the Appropriation Bill.

Adopted January 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 5.

Resolved, That the Sergeant-at-Arms be and he is hereby directed to furnish each member of the Senate with five dollars' worth of United States postage stamps, with which to send public documents and papers to the people.

Adopted January 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 6.

Be it resolved by the Senate, That a committee of three be appointed to prepare a code of rules for the government of this body during the present session.

Adopted January 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 7.

Resolved by the Senate, That the Chief Clerk be directed to prepare a calendar, weekly, of the business before the Senate for the convenience and information of the Senators.

Adopted January 26, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 8.

Whereas, The Senate on, a previous day of this session, authorized the Speaker, by resolution, to appoint a redistricting committee, consisting of thirteen members, one from each Congressional District and three from the State at large; and,

Whereas, it is believed by the Senate that said committee should be enlarged, as it must be one of the most important committees of this present session; therefore, be it

Resolved by the Senate of the State of Tennessee, now met and sitting, That the said resolution be and the same is hereby so amended as that the Speaker of the Senate is hereby authorized to appoint upon the said committee two additional members from the State at large, making the said committee consist of fifteen members instead, as now by resolution, of thirteen.

Adopted January 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 9.

Resolved by the Senate, That the Treasurer is authorized to pay Ike Oldham for eighteen days' services as porter at the rate of three dollars per day—the same to be included in the General Appropriation Bill.

Adopted January 12, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 10.

Resolved, That one of the porters be required to remain and keep up fires in the Senate Chamber during recess, and that he be allowed his regular *per diem*, and the same be included in the General Appropriation Bill.

Adopted January 31, 1891.

W. C DISMUKES,
Speaker of the Senate.

NUMBER 11.

Resolved, That the Committee on Finance, Ways and Means be directed to include in the General Appropriation an appropriation of three dollars and fifty cents in favor of Jake Young for locks and keys for Senator's desk paid for by him.

Adopted January 29, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 12.

Be it resolved by the Senate, That the Chief Clerk be authorized to have all the necessary repairs made on the Clerk's desk and the safe, and that the cost of the same, subject to the approval of the Speaker and the Clerk, be included in the General Appropriation Bill.

Adopted January 14, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 13.

Be it resolved by the Senate, That the porter be instructed and required to put good fires in the stoves of the Senate Chamber as late as 8 o'clock each night, and that the said fires be renewed as early as six o'clock each morning, at which hour the lower windows of the Chamber are to be raised for thirty minutes that the room may be well supplied with fresh air. At the hour of 6:30 the windows are to be lowered and good fire kept in the stoves from that hour to the meeting of the Senate, or the rest of the day.

Adopted January 14, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 14.

Be it resolved by the Senate of the State of Tennessee, That no measure involving an expenditure of money shall pass this body without a call of the roll of Senators.

Adopted January 15, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 15.

Be it resolved by the Senate, That the Comptroller issue his warrant on the Treasurer in favor of Forbes Keeble for $54 for eighteen days' services, at rate of $3 per day, as porter in arranging the Senate Chamber, etc., preparatory to and during organization, and that the same be included in the General Appropriation Bill.

Adopted January 14, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 16.

Be it resolved, That the Speaker of this Senate be and he is hereby authorized and directed to appoint a committee, consisting of one Senator from each Congressional District of the State and three from the State at large, to be called the Redistricting Committe, to which shall be referred all bills providing for the redistricting of the State into Congressional, Senatorial and Floterial Districts.

Adopted January 15, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 17.

Resolved by the Senate, That the sum of $5.10 be and the same is hereby appropriated to W. F. Overstreet for work done on Senate desks, door, etc., and that the same be included in the General Appropriation Bill.

Adopted January 16, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 18.

Resolved by the Senate, That the Sergeant-at-Arms be directed to purchase, for the use of this body, two chimneys for gas lamps, wire broom for cooler, two common brooms, blacking brush and blacking, clothes brush or broom, stub pens, and that the same be included in the General Appropriation Bill.

Adopted January 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 19.

Be it resolved by the Senate, That the Senate go into an election of an Assistant Engrossing Clerk.

Adopted February 20, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 20.

Resolved by the Senate, That the use of the Senate Chamber be allowed to the Medical Society of the State of Tennessee for holding its annual session during April 14, 15 and 16, 1891.

Adopted March 13, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 21.

WHEREAS, By an Act of the General Assembly of 1889, Chapter 206, five hundred dollars was appropriated out of the State treasury for the purpose of assorting, arranging and printing the "muster rolls" and other papers relating to the service of Tennessee soldiers in the "Mexican War;" and,

WHEREAS, The Adjutant-General was authorized in said Act to do said work and have printed 300 copies of said lists for the use of his office and applicants for record service; and,

WHEREAS, It appears that said "muster rolls" and other papers have not been arranged nor printed as provided for in said Act; therefore, be it

Resolved by the Senate, That the Speaker is hereby authorized and directed to appoint a committee from this body consisting of three members, who shall proceed to the Adjutant-General's office, and after investigation report—

1. What part, if any, of said work authorized in said Act has been done.
2. If said work has not been performed, the reason of said failure.
3. What amount of said $500 appropriation, if any, has been drawn from the Treasurer's office for the expenses contemplated in said Act. The committee is authorized to send for persons and papers and report as soon as practicable.

Adopted March 17, 1891.

W. C. DISMUKES,
Speaker of the Senate.

NUMBER 22.

Be it resolved by the Senate, That the Sergeant-at-Arms be instructed to properly number the desks of the Senate and put tags on keys of same, and box all Senate property, and seal said box after the Senate has adjourned, and his per diem be included in the General Appropriation Bill for such service.

Adopted March 10, 1891.

W. C. DISMUKES,
Speaker of the Senate.

HOUSE RESOLUTIONS.

NUMBER 1.

WHEREAS, the session is drawing to a close, and the Assessment, Appropriation, and Revenue Bills are yet to be considered; therefore, be it

Resolved, The Clerk of the House be required to have printed one hundred and fifty copies of each of said bills for the use of the members of the House, and that Wednesday, March 18, 1891, at eleven o'clock be made the special order for the consideration of said bills, to be considered in sections, in the following order, from day to day, until disposed of: Assessment, Revenue, and Appropriation Bills.

Adopted March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 2.

Be it resolved by the House of Representatives, That the use of the Hall be allowed to the Medical Society of the State of Tennessee, for its Annual Sessions during April 14, 15 and 16, 1891.

Adopted March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 3.

WHEREAS, we learn with profound gratification of the solution of the Senatorial deadlock in the Legislature of Illinois; therefore, be it

Resolved, That this House send greetings to the untiring Democrats of the Illinois General Assembly, and to the gallant F. M. B. A. members for their fidelity to principles in this heated contest.

Resolved further, That, as an expression of our appreciation of the result, these resolutions be spread upon the journal and a copy be sent the General Assembly of Illinois.

Adopted March 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 4.

WHEREAS, The time for adjournment is near at hand and there has been a great deal of time unnecessarily devoted in speech-making; therefore,

Resolved, That no member shall be allowed to speak longer than ten minutes in his opening speech and not more than five minutes in his rejoinder, and the Speaker of the House is hereby respectfully requested to call each member to order as soon as his time has expired.

Adopted March 18, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 5.

Resolved by the House of Representatives of the State of Tennessee, That the thanks of this body are hereby tendered to Hon. Allen G. Hall for the able, dignified, and impartial manner with which he presided over our deliberations during the absence of Speaker Myers.

Adopted March 9, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 6.

WHEREAS, The first day of January of each year is celebrated by the colored citizens of the South, in commemoration of the Emancipation Proclamation; and,

WHEREAS, The colored citizens of Tennessee are accustomed to join in such celebration; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the use of the Hall of Representatives is hereby granted to our colored fellow-citizens for their celebration January 1, 1892.

Adopted March 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 7.

Resolved, That the Superintendent of the Capitol be authorized to provide at once for an electric light in the hall, and the expense of same be provided for in the Appropriation Bill.

Adopted March 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 8.

WHEREAS, it being but a few days until the close of the regular session of the Forty-seventh General Assembly; and,

WHEREAS, there are a great many local bills in which individual members are very much interested; therefore, be it

Resolved, That on and after March 20, 1891, that we hold night sessions for the purpose of considering Senate and House Bills on their first and second reading, but that no bill shall be passed on third reading unless it be a local measure, either House or Senate.

Adopted March 20, 1891.

ALLEN G. HALL,
Speaker pro tem. of the House of Representatives.

NUMBER 9.

Be it resolved by the House of Representatives, That the State Treasurer be instructed to pay W. F. Overstreet the sum of five dollars for services rendered the House in filing 72 keys for desks in the Representative Hall.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 10.

Be it resolved by the House of Representatives, That the Treasurer be instructed to pay to John M. Berger, the Assistant Sergeant-at-Arms of the last House of Representatives, for services rendered from December 28, 1890, to January 5, 1891, inclusive, at the regular rates paid Assistant Sergeant-at-Arms, and that the same be included in the General Appropriation Bill.

Adopted January 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 11.

WHEREAS, This House has passed a resolution authorizing the Speaker of the House to appoint three and the Speaker of the Senate two members of a committee to investigate the rights of the State of Tennesseee to certain stock in the East Tennessee, Virginia & Georgia Railroad Company; and,

WHEREAS, The Speaker of this House, the Hon. Thomas R. Myers, has made investigation into the question and possesses valuable facts in respect to the claim; therefore, be it

Resolved by the House of Representatives, That the Hon. Thomas R. Myers should be Chairman of the House Committee, and the Speaker is requested by this House in the forming of his committee to arrange the same with himself as Chairman.

Adopted January 30, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 12.

Be it resolved by the House of Representatives, That the Assistant Sergeant-at-Arms be and is hereby directed to remain in charge of the Hall of the House of Representatives during the recess, to receive and retain the mail of the members during their absence, and to have fires kept up in the Hall. Be it further

Resolved, That one of the porters, to be designated by the Sergeant-at-Arms, shall also remain during the recess.

Adopted January 30, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 13.

Be it resolved by the House of Representatives of the State of Tennessee, That the Chief Clerk be authorized to have all the necessary repairs made on the Clerk's desk, and that the cost of same, subject to approval of the Speaker and Clerk, be included in the General Appropriation Bill.

Adopted January 30, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 14.

WHEREAS, it is announced by the daily press that the Hon. J. H. Savage, who was a most worthy and efficient member of the Forty-sixth General Assembly of the State of Tennessee, is now confined to his bed by a very severe attack of illness; therefore, be it

Resolved by the House of Representatives of the Forty-seventh General Assembly of the State of Tennessee, That the most sincere sympathy of this body is hereby expressed for Colonel Savage in this his hour of affliction, and that it is the earnest hope of this body that his restoration to usual health, and to his exceptional usefulness to the State, may be both speedy and permanent.

Adopted January 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 15.

Be it resolved by the House of Representatives of the State of Tennessee, That the sum of five dollars be allowed W. F. Overstreet for furnishing keys and locks to desks in the House, also repairing drawers, storm doors and chair in Engrossing Clerk's room, and that the Comptroller be authorized to issue his warrant in favor of W. F. Overstreet for that amount.

Adopted January 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 16.

WHEREAS, The hand of Divine Providence, in the allwise power of God, has seen fit to remove from the scenes of earthly influence the beloved mother and father of Hon. M. R. Hughes, one of the most estimable members of this House; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That we extend to our worthy fellow member and his bereaved family our sincere and heartfelt sympathy and condolence in this time of their great loss and affliction.

Adopted February 11, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 17.

Resolved by the House of Representatives, That the Sergeant-at-Arms report the number of Codes in possession of the members, how many were supplied, and how many missing.

Adopted February 17, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 18.

Be it resolved by the House of Representatives of the Forty-seventh General Assembly, That body made no attempt during the discussion of the Bawdy House Bill, or at any other time, to rebuke Representative Davis, of Shelby County, and that this House disclaim any intention to censure Mr. Davis in its refusal to sustain him in his opposition to permitting an outsider to address the Assembly.

Adopted February 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 19.

Resolved by the House of Representatives, That the Treasurer be authorized to pay the Sergeant-at-Arms and Assistant Sergeant-at-Arms of the House four dollars a day from January 5, 1891 to date—James Lauderdale and W. R. McComas; and the porters, Scott Morris, Lander Martin, Bob Wyatt, and Sylvanus Martin four dollars a day, the time to be fixed by the Superintendent of the Capitol.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 20.

Resolved, That the Assistant Clerk be and he is hereby directed to prepare at once a roster of the officers and members of the House for the use of the Senate, House and State officers, and that 250 copies of the same be printed.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 21.

Be it resolved by the House of Representatives, That the Speaker be authorized to appoint a Journal Clerk whenever the services of such an officer are required, and that said Clerk receive the usual compensation for his services.

Adopted January 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 22.

Be it resolved by the House of Representatives, That the Clerk be and is hereby directed to prepare and cause to be laid on the desk of each member of the House every Monday morning a revised calendar, showing the business of the House, status of bills and resolutions, by whom introduced, and action of the House thereon.

Adopted January 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 23.

Be it resolved by the House of Representatives, That the Sergeant-at-Arms be required to have the Clerk's desk repaired, and that the cost of said repairs be provided for in the General Appropriation Bill.

Adopted January 16, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 24.

Be it resolved by the House of Representatives of the State of Tennessee, that,

WHEREAS, The Committee and the Clerk of Enrolled Bills found the safe in their room locked and the combination gone, and by House Resolution No. 13 the Superintendent of the Capitol was authorized to have said safe opened by the assistance of an expert if necessary; and,

WHEREAS, Said Superintendent employed W. M. Rear, to open said safe and change the combination thereof, whose fee for said service is five dollars, and is duly approved by the Superintendent; therefore, be it

Resolved by the House of Representatives of the State of Tennessee, That the Comptroller draw an order for five dollars on the Treasurer in favor of said Rear.

Adopted January 15, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 25.

WHEREAS, This body has been notified by the Superintendent of the Capitol that the substantial and ornamental marble slab now on the Speaker's desk was donated to the State by J. G. Aydelott, of Coffee County, Tennessee; and,

WHEREAS, The said J. G. Aydelott did also pay all cost of transportation on said slab, thus saving the State any cost whatever; therefore, be it

Resolved by the House of Representatives, That the most sincere thanks of this body, as representatives of the people at large, are hereby tendered to Mr. Aydelott in consideration of his generosity.

Adopted January 15, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 26.

Resolved, That the Speaker of the House appoint a committee of two to wait on the Secretary of State and ascertain the amount of stationery on hand carried over from the purchase made for the last General Assembly, and report the same at once.

Adopted January 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 27.

Resolved, That the Sergeant-at-Arms of the House purchase dusters, mops, and coal buckets, and the cost for the same to be included in the Appropriation Bill.

Adopted January 14, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 28.

Be it resolved by the House of Representatives, That the sum of five dollars be appropriated to each member for the purpose of purchasing stamps to send public documents to his constituents.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 29.

Be it resolved by the House of Representatives, That the Sergeant-at-Arms be and is hereby instructed and authorized to purchase a sufficient number of brooms, dusters, water-buckets, and slop-pans, for the use of the House, the same to be provided for in the General Appropriation Bill.

Adopted January 28, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 30.

Be it resolved by this House, That the Sergeant-at-Arms be and is hereby empowered to have placed on opposite sides of this House one blackboard, and the Chairman of each committee be notified by the Speaker to have the hour and number of room written on said board whenever said Chairman desires to have his committee meet, said notices to be written there not later than 30 minutes before 12 M. and 4 P. M. of each day.

Adopted February 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 31.

Resolved, That this House, by an invitation of the Trustees of Vanderbilt University, visit said institution on Monday evening at 2 o'clock, February 16, 1891.

Adopted February 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 32.

Resolved, That the Superintendent of the Capitol be instructed to provide lights for the Representative Hall as soon as possible.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 33.

Resolved, That the Treasurer pay the Clerk and Assistant Clerk six dollars a day from January 5, 1891, to January 13, 1891, inclusive.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 34.

Resolved, That a porter be selected by the Speaker to attend to the fires in the Hall during the night.

Adopted January 13, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 35.

Resolved by the House of Representatives of the State of Tennessee, That the Superintendent of the Capitol be instructed to immediately procure means, by employing experts if necessary of opening the safe in the room of the Engrossing Clerk.

Adopted January 12, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 36.

Be it resolved by the House of Representatives, That the Assistant Clerk of the House be authorized and instructed to prepare and have printed, for the use of the members, two hundred and fifty copies of the names of the members of the various committees, and cost of the same be included in the General Appropriation Bill.

Adopted January 22, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 37.

WHEREAS, The House has learned with heartfelt sorrow of the death of the Honorable J. J. Williams, who was a member of the Forty-sixth General Assembly; therefore, be it

Resolved by the House of Representives, That the Speaker appoint a committee of five to draft and present to this House suitable resolutions.

Adopted January 22, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 38.

WHEREAS, The election of our United States Senators is placed so far from the people of their respective States that they do not feel the necessary responsibility to the masses; therefore, be it

Resolved by the Forty-seventh General Assembly of the State of Tennessee, That our members in Congress be and are hereby instructed to support an amendment to the Constitution of the United States that will cause the election of all United States Senators by a direct vote of the people.

Adopted January 24, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 39.

Resolved, That a committee of five be appointed by the Speaker to draft suitable resolutions in the respect to the memory of George Bancroft.

Adopted January 22, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 40.

Be it resolved by the House of Representatives, That the State Treasurer be instructed to pay W. F. Overstreet, the sum of five dollars for services rendered the House in filing seventy-two keys for desks in the Representative Hall.

Adopted January 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 41.

WHEREAS, death has removed from the midst of the people of the United States William T. Sherman, late General of the Armies of the United States; therefore, be it

Resolved, That the House of Representatives of the State of Tennessee have heard of the death of the distinguished soldier with profound regret and sorrow, and that this body extend to the bereaved family our sympathy for the great loss by them sustained.

That this Resolution be spread upon the minutes of the Journal, and that the Clerk of this House furnish the family with a copy of this Resolution properly engrossed.

Adopted February 23, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

NUMBER 42.

Resolved by the House of Representatives, That the Speaker of the House is hereby authorized to appoint an Assistant Engrossing Clerk, whenever in his opinion the business of the House requires the services of such appointment.

Adopted February 19, 1891.

THOMAS R. MYERS,
Speaker of the House of Representatives.

CORPORATIONS.

CORPORATIONS

Organized under Chapter 143, *Acts of* 1875, *known as the "Charter Act," and Acts amendatory, published herein by direction of Section* 30 *of said Act.*

Name of Corporation.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
A				
Armour Cotton Company	Shelby	May 11, 1889	T	809
American Building and Loan Association	Shelby	May 20, 1891	T	821
Athens Iron Company	McMinn	June 17, 1889	T	845
Alabama Asphalt, Oil and Mineral Company	Shelby	April 24, 1890	U	41
Anglo-American Association (limited)	Rhea	April 29, 1890	U	46
American Publishing Company	Davidson	May 16, 1890	U	60
Anderson, J. B. & Co	Smith	July 11, 1890	U	92
Automaitc Iron Hand-car Coupling Company	Blount	July 16, 1890	U	94
Arlington Spoke and Rim Factory	Shelby	Sept. 18, 1890	U	117
American Banking and Trust Company	Knox	Aug. 20, 1889	vol 1,	70
Automatic Refrigerator Company	Davidson	Oct. 15, 1889	N	128
African Methodist Episcopal Church	Maury	Nov. 21, 1889	N	184
Athens Abstract Company	McMinn	April 1, 1890	N	149
American Investment Company	Hamilton	Mar. 26, 1889	Q	81
Afro-American Hall Company	Shelby	Oct. 29, 1889	Q	41
Arcton Land Company	Hamilton	April 12, 1890	Q	57
Athens Town Company	McMinn	Sept. 18, 1890	Q	84
Arlington Land and Improvement Company	Hamilton	July 8, 1890	Q Q	126
American Trust and Investment Company	Davidson	Sept. 11, 1890	Q Q	135
Allen Coal and Iron Company	Hamilton	June 12, 1889	J J	82
Alexandria Manufacturing Company	DeKalb	Aug. 21, 1890	J J	94
Allentown Manufacturing Company	Carter	Oct. 17, 1890	J J	114
Anderson County Farmer and Stock Association	Anderson	July 19, 1889	P	414
Adopted Sons of Zion	Sullivan	Jan. 16, 1890	P	519
Ajax Milling Company	Sumner	Sept. 8, 1890	P	673
Amatuer Athletic Association	Knox	Aug. 30, 1889	O	143
Aspen Hill Academy	Giles	Dec. 5, 1889	O	160
Auxiliary Association of Confederate Soldiers' Home	Davidson	April 11, 1890	O	181
African Methodist Episcopal Church	Hamilton	July 10, 1890	O	193
B				
Bluff Manufacturing Company	Sullivan	Jan. 8, 1889	T	165
Butchers' and Drovers' Stock Yards	Davidson	Jan. 29, 1889	T	193
Bluff City Cotton Mills	Shelby	Feb. 8, 1889	T	203
Buena Ventura Farm Company	Montgomery	March 5, 1889	T	241
Brunswick Mining and Gravel Company	Shelby	May 22, 1889	T	325
Battle Ground Academy	Williamson	July 8, 1889	T	369
Bank of Jefferson	Jefferson	Aug. 12, 1889	T	397
Bolton Remedy Company	Hamilton	Nov. 14, 1889	T	481
Bradt Printing Company	Hamilton	Dec. 30, 1889	T	525
Brinkley Lumber Company	Shelby	Jan. 2, 1890	T	529
Belmont	Davidson	Jan. 4, 1890	T	531
Bedford Stone Company	Knox	Jan. 6, 1890	T	583
Bruce-Bruie Hat Company	Shelby	Jan. 16, 1890	T	541
Brant Furniture Company	Shelby	Jan. 28, 1890	T	563
Brown Manufacturing Company	Greene	Jan. 29, 1890	T	555
Blanton Store and Lumber Company	Shelby	Feb. 3, 1890	T	565
Buffalo Mountain Coal, Coke and Railroad Company	Knox	June 11, 1890	U	81
Boling Dry Goods Company	Dyer	June 28, 1890	U	84
Benham Furniture Company	Shelby	Oct. 14, 1890	U	129

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Baird-Roberts Publishing Company	Davidson	Oct. 23, 1890	U	135
Bellevue Oil Company	Davidson	Oct. 27, 1890	U	136
Baxter Court	Davidson	Nov. 7, 1890	U	149
Board of Trade	Washington	Nov. 20, 1890	U	156
Birmingham, Jackson & Kansas City Railway Company	Madison	Mar. 19, 1889	S	225
Bristol, Elizabethton & North Carolina Railway Company	Sullivan	June 10, 1889	S	261
Bristol Belt Line Railway Company, Tennessee Division	Sullivan	June 30, 1890	S	445
Bank of Goodlettsville	Davidson	Jan. 30, 1889	vol 1,	53
Bank of Loudon	Loudon	Mar. 14, 1889	"	56
Bank of Hartsville	Trousdale	May 2, 1889	"	61
Bank of Commerce	Hamilton	July 1, 1889	"	65
Bank of Gainesboro	Jackson	July 5, 1889	"	66
Bank of Bellbuckle	Bedford	Nov. 23, 1889	"	82
Bank of Livingston	Overton	Jan. 2, 1890	"	87
Bank of Harriman	Roane	Feb. 6, 1890	"	92
Bank of Collierville	Shelby	Feb. 18, 1890	"	93
Bank of Decherd	Franklin	April 3, 1890	"	96
Bank of Carolina, of Chattanooga, Tenn.	Hamilton	April 23, 1890	"	97
Bank of Madisonville	Monroe	May 13, 1890	"	100
Bank of Spring City	Rhea	May 31, 1890	"	101
Bank of Cumberland Gap	Claiborne	Aug. 11, 1890	"	107
Bank of Claiborne	Claiborne	Aug. 11, 1890	"	108
Bank of Jasper	Marion	Aug. 15, 1890	"	109
Bank of Allentown	Carter	Oct. 17, 1890	"	119
Bank of Obion	Obion	Oct. 28, 1890	"	121
Bank of Wartrace	Bedford	Dec. 23, 1890	"	127
Bilbo Avenue Building, Real Estate, Loan & Savings Ass'n.	Davidson	Jan. 4, 1889	N	102
Bank of Troy	Obion	March 4, 1889	N	110
Benton Seminary	Benton	May 20, 1889	N	114
Brownsville Building and Loan Association	Haywood	July 4, 1889	N	117
Bristol Central Market and Improvement Company	Sullivan	Sept. 9, 1890	Q	82
Bristol Land and Improvement Company	Sullivan	May 20, 1889	Q Q	48
Belmont Land Company	Davidson	Feb. 13, 1890	Q Q	65
Bristol Investment Company	Sullivan	Mar. 14, 1890	Q Q	69
Broad Street Land Company	Knox	April 11, 1890	Q Q	88
Blowing Spring Land and Improvement Company	Hamilton	May 9, 1890	Q Q	101
Black Oak Ridge Company	Knox	May 17, 1890	Q Q	104
Buena Vista Land and Improvement Company	Washington	May 19, 1890	Q Q	105
Bluffview Land Company	Knox	May 23, 1890	Q Q	108
Boston Home Building Company	Hamilton	June 6, 1890	Q Q	112
Belmont Park Company	Davidson	July 3, 1890	Q Q	124
Bon Air Coal and Coke Company	Davidson	Mar. 19, 1889	J J	27
Brownsville Gas Light Company	Haywood	May 5, 1890	J J	70
Buck's Milling Company	Maury	July 1, 1890	J J	86
Big Ridge Coal and Coke Company	Washington	Oct. 13, 1890	J J	109
Benton Land and Iron Company	Polk	Jan. 24, 1889	P	292
Bradford Stock Company	Gibson	April 10, 1889	P	349
Bethlehem Religious Congregation (amended)	Carroll	April 15, 1889	P	360
Big Sandy Co-operation Association	Benton	April 15, 1889	P	362
Board of Trustees of Andrew Jackson College	White	May 15, 1889	P	376
Brownsville Compress and Storage Company	Haywood	June 18, 1889	P	401
Beck, Bransford & Eckdohl Furniture Co. (amended)	Obion	Oct. 8, 1889	P	471
Builders' Exchange	Shelby	Jan. 24, 1890	P	522
Bristol Title, Bank and Trust Company	Sullivan	Aug. 11, 1890	P	628
Bristol Grate and Mantel Works	Sullivan	Aug. 23, 1890	P	655
Bon Hommie Club	Davidson	June 20, 1889	O	130
Board of Trustees of Lawrenceburg Normal Institute	Lawrence	June 25, 1889	O	133
Busy Bee Society	Hardin	Dec. 16, 1889	O	162
Beech Grove African Club Benevolent Union Society	Maury	Jan. 1, 1890	O	164
Builders' and Contractors' Exchange	Knox	April 9, 1890	O	180
Boscobel College	Davidson	May 22, 1890	O	184

C

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Co-operative Wheel Store	Lincoln	Jan. 15, 1889	T	171
Chattanooga Basket and Package Company	Hamilton	Jan. 17, 1889	T	175
Coulter W. F., Tobacco Case Manufacturing Company	Montgomery	Jan. 23, 1889	T	181
Covington Mill and Elevator Company	Tipton	Jan. 26, 1889	T	185
Central Guarantee Life Association (amended)	Knox	Jan. 31, 1889	T	195
Capital Electric Company	Davidson	Feb. 9, 1889	T	207

CHARTERED CORPORATIONS—*Continued.*

Name of Corporation.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Cumberland Building and Savings Association	Davidson	March 4, 1889	T	239
Chattanooga Base-ball Association	Hamilton	April 1, 1889	T	263
Covington Supply Company	Tipton	April 14, 1889	T	271
Chattanooga Messenger System	Hamilton	April 26, 1889	T	289
Chattanooga Saddlery Company	Hamilton	April 27, 1889	T	293
Casey Boiler Manufacturing Company	Hamilton	April 27, 1889	T	295
Central Grocery Company	Shelby	May 1, 1889	T	301
Chilhowee Lumber Company	Blount	June 15, 1889	T	343
Chattanooga Door and Sash Company	Hamilton	June 29, 1889	T	355
Chester County Agricultural and Mechanical Association	Chester	July 6, 1889	T	365
Clarksville Park Association	Montgomery	Aug. 5, 1889	T	387
Covington Water Company	Tipton	Aug. 8, 1889	T	391
Chattanooga Novelty Manufacturing Company	Hamilton	Aug. 20, 1889	T	407
Co-operative Union Supply House and Wheel Agency	Lincoln	Aug. 27, 1889	T	413
Cleveland Iron Fence Company	Shelby	Sept. 12, 1889	T	429
Covington Oil Mill and Fertilizer Company	Tipton	Sept. 16, 1889	T	435
Chattanooga Steam Pump Company	Hamilton	Sept. 26, 1889	T	449
Chattanooga Construction Company	Hamilton	Sept. 30, 1889	T	451
Covington Saddlery Company	Tipton	Sept. 30, 1889	T	453
Cumberland City Academy	Stewart	Oct. 8, 1889	T	457
Carrington Shoe Company	Shelby	Oct. 10, 1889	T	461
Chattanooga Endowment and Investment Company	Hamilton	Oct. 12, 1889	T	465
Cochrane Lumber Company	Shelby	Oct. 12, 1889	T	467
Chilhowee Land Company	Knox	Nov. 22, 1889	T	491
Cleveland Fire Brick Company	Bradley	Nov. 22, 1889	T	517
Cherry-Morrow Manufacturing Company	Davidson	Dec. 19, 1889	T	521
Chattanooga Union Depot Company	Hamilton	Dec. 30, 1889	T	523
Chickasaw Guards Building Company	Shelby	Jan. 2, 1890	T	527
Cycloridal Engine and Steam Pump Company	Hamilton	Jan. 16, 1890	T	539
Chattanooga Southern Manufacturing Company	Hamilton	Jan. 21, 1890	T	547
Chickamauga Foundry and Machine Works	Hamilton	Jan. 21, 1890	T	549
Cumberland Street Railroad Company	Knox	Feb. 12, 1890	U	1
Consolidated Transportation and Wharf Boat Company	Shelby	Feb. 14, 1890	U	2
Crystal Water Company of Knoxville	Knox	Mar. 15, 1890	U	14
Cumberland Gap Park Company	Claiborne	April 4, 1890	U	35
City Furniture Company	Knox	May 8, 1890	U	53
City Illuminating Company	Rutherford	May 13, 1890	U	58
Cleveland W. W., Furniture Company	Hamilton	May 21, 1890	U	68
Carter Tobacco Company	Hamilton	May 30, 1890	U	75
Consumers' Mutual Ice and Cold Storage Company	Shelby	July 16, 1890	U	95
Chattanooga Consumers' Ice Company	Hamilton	July 26, 1890	U	98
Cardiff Stone Company	Roane	Aug. 12, 1890	U	106
Chamber of Commerce of the City of Bristol, Tenn.	Sullivan	Sept. 9, 1890	U	113
Coleman-Hanze Shoe Company	Shelby	Sept. 10, 1890	U	114
Cumberland Gap Iron Company	Claiborne	Sept. 13, 1890	U	116
Crossville Publishing Company	Cumberland.	Sept. 24, 1890	U	119
Clark & Crook Company	Shelby	Sept. 25, 1890	U	120
Cardiff Ice Company	Roane	Oct. 14, 1890	U	130
Cumberland Fair and Racing Association	Davidson	Oct. 17, 1890	U	132
Clinch River Quarry Company	Claiborne	Oct. 18, 1890	U	133
Cumberland Gap Water Company	Claiborne	Nov. 3, 1890	U	141
Cumberland Gap Gas Light Company	Claiborne	Nov. 3, 1890	U	142
Cumberland Gap Electric Light and Power Company	Claiborne	Nov. 3, 1890	U	143
Cotton Belt, Ore, Gas and Coal Company of Tennessee	Putnam	Nov. 29, 1890	U	160
Cardiff Iron Mining Company	Roane	Dec. 4, 1890	U	165
Cardiff Hotel Company	Roane	Dec. 4, 1890	U	166
City Ice Company	Knox	Dec. 20, 1890	U	175
City Building Company	Hamilton	Dec. 20, 1890	U	177
Central Building and Loan Association	Hamilton	Dec. 30, 1890	U	181
City Electric Railway Company	Davidson	Feb. 14, 1889	R	27
Consolidated Street Railway Company	Shelby	May 7, 1889	R	31
Chattanooga and Northside Street Railway Company	Hamilton	June 27, 1889	R	34
Citizens' Rapid Transit Company	Davidson	July 30, 1889	R	35
Chattanooga and Floral Park Street Railroad Company	Hamilton	July 31, 1889	R	36
Chattanooga Elevated Railway Company	Hamilton	Oct. 2, 1889	R	39
City Suburban Railway Company	Shelby	Feb. 4, 1890	R	44
Chilhowee Street Railroad Company	Knox	Sept. 5, 1890	R	56
City and Suburban Railway Company	Knox	Dec. 20, 1890	R	60
Chattanooga and Augusta Railroad Company	Polk	Feb. 14, 1889	S	209
Chattanooga, Missionary Ridge and Chickamauga R'y Co.	Hamilton	Feb. 22, 1889	S	213

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
City Railway Company	Washington	March 6, 1889	S	217
Cumberland and Big Stone Gap Railroad Company	Davidson	May 7, 1889	S	245
Charleston, Cincinnati and Chicago Railroad Company	Washington	Aug. 5, 1889	S	277
Charleston, Cincinnati and Chicago Railroad Company	Washington	Nov. 13, 1889	S	305
Cincinnati and Birmingham Railroad Company	Coffee	Jan. 3, 1890	S	345
Cincinnati and Atlantic Railroad Company	McMinn	Mar. 18, 1890	S	377
Chattanooga and Georgia Railway Company	Hamilton	April 4, 1890	S	385
Chattanooga, Louisville and Chicago Air Line Railway Co.	Hamilton	May 2, 1890	S	397
Chattanooga, Cumberland Gap and Virginia Railway Co.	Hamilton	June 4, 1890	S	425
Cincinnati, Athens and Atlanta Short Line	McMinn	July 28, 1890	S	457
Cincinnati, Athens and Atlanta Railroad	McMinn	Aug. 8, 1890	S	461
Carthage and Red Springs Turnpike Company	Smith	Sept. 12, 1890	S	473
Chattanooga Railway, Bridge and Terminal Company	Hamilton	Sept. 17, 1890	S	477
Chattanooga and Cumberland Gap Railway Company	Hamilton	Oct. 15, 1890	S	489
Commercial Bank and Trust Company	Giles	Feb. 15, 1889	vol 1,	55
Chattanooga Savings Bank	Hamilton	April 23, 1889	"	60
Citizens' Bank	Loudon	July 5, 1889	"	67
Continental Bank	Hamilton	Aug. 7, 1889	"	69
Citizens' Bank	Washington	Sept. 9, 1889	"	74
Chattanooga Banking and Trust Company	Hamilton	Oct. 5, 1889	"	78
Chattanooga Safe, Deposit and Trust Company	Hamilton	Oct. 29, 1889	"	80
Camden Bank and Trust Company	Benton	Dec. 5, 1889	"	85
Clarksville Trust Company	Montgomery	Dec. 12, 1889	"	86
Central Savings Bank	Knox	Jan. 6, 1890	"	88
City Savings Bank	Davidson	May 5, 1890	"	98
Cardiff Bank and Trust Company	Roane	May 12, 1890	"	99
Chattanooga Warehouse and Banking Company	Hamilton	June 30, 1890	"	104
Continental Savings Bank	Shelby	Sept. 18, 1890	"	116
Cleveland Driving Park Association (limited)	Bradley	Oct. 7, 1889	N	127
Cumberland Mining and Manufacturing Company	Morgan	Oct. 18, 1889	N	130
Cleveland Manufacturing Company	Bradley	Jan. 14, 1889	N	139
Cleveland Land Improvement and Railroad Company	Bradley	Mar. 27, 1890	N	146
Carnegie Hotel Company	Washington	April 2, 1890	N	150
Conyersville Educational Association	Henry	May 8, 1890	N	160
Columbia Marble and Manufacturing Company	Maury	July 8, 1890	N	169
Carnegie Land and Improvement Company	Washington	April 15, 1889	Q	32
Carnegie Land and Improvement Company	Washington	Nov. 29, 1889	Q	44
Chattanooga Investment, Loan and Banking Company	Hamilton	Dec. 7, 1889	Q	46
Carr R. F., Town Company	Claiborne	Mar. 29, 1890	Q	56
Cleveland Cigar Manufacturing Company	Bradley	April 29, 1890	Q	60
Connecticut Land Company	Washington	Sept. 20, 1890	Q	87
Cumberland Hotel Company	Cumberland	Oct. 16, 1890	Q	88
Columbia Lead and Zinc Company	Claiborne	Dec. 4, 1890	Q	93
Chattanooga Fruit Growers' Association	Hamilton	Dec. 4, 1890	Q	94
Crowder's Chemical Electric Company	Shelby	Dec. 22, 1890	Q	98
Co-operative Town Company	Knox	Dec. 23, 1890	Q	99
Chattanooga Investment Company	Hamilton	Nov 2, 1889	Q Q	52
Columbia Real Estate and Investment Company	Maury	Nov. 5, 1889	Q Q	54
Clarksville Land and Improvement Company	Montgomery	Jan. 28, 1890	Q Q	62
Cardiff Town Company	Roane	Feb. 6, 1889	Q Q	64
Cardiff Improvement Company	Roane	Mar. 24, 1889	Q Q	78
Cardiff Coal and Iron Company	Roane	Mar. 24, 1889	Q Q	79
Circle Park Land Company	Knox	April 12, 1890	Q Q	89
Crawfish Springs Land Company	Hamilton	June 14, 1890	Q Q	114
Cardiff Building and Lumber Company	Roane	June 17, 1890	Q Q	116
Cherokee Land Company	Knox	July 7, 1890	Q Q	125
Cumberland Investment Company	Hamilton	Aug. 12, 1890	Q Q	132
Corporation of Dayton	Rhea	Oct. 14, 1890	Q Q	141
Cardiff Title Abstract Company	Roane	Oct. 22, 1890	Q Q	146
Claiborne Building Company	Claiborne	Dec. 22, 1890	Q Q	155
Comstock Mining, Manufacturing, Smelting & Reducing Co	Davidson	April 5, 1889	J J	29
Columbia Elevator Company	Maury	April 29, 1889	J J	30
Carsey & Polston	Davidson	Sept. 27, 1889	J J	38
Chattanooga Wooden Tray Company	Hamilton	Dec. 14, 1889	J J	46
Continental Iron and Steel Company	Hickman	Feb. 11, 1890	J J	58
Cumberland Iron Company	Stewart	April 30, 1890	J J	67
Chickamauga Iron Company	Hamilton	June 3, 1890	J J	77
Chattanooga Powder Company	Hamilton	July 15, 1890	J J	89
Coral Reef Marble Company	Knox	Aug. 28, 1890	J J	97
Cumberland Gap Ice Factory	Claiborne	Aug. 28, 1890	J J	99

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Cumberland Manufacturing Company	Roane	Sept. 9, 1890	J J	104
Cardiff Rolling Mill Company	Roane	Oct. 2, 1890	J J	106
Cotton Elevator Company	Shelby	Oct. 8, 1890	J J	107
Canton Iron Company	Hamilton	Oct. 14, 1890	J J	112
Chattanooga, Cleveland and Hiwassee R. R. Co., agreement with Chattanooga, Cleveland and Murphy R. R. Co.		Feb. 26, 1889	P	314
Chattanooga Ice, Bottling and Vinegar Co (amended)	Hamilton	Mar. 5, 1889	P	326
Capital City Bank	Davidson	Mar. 16, 1889	P	337
Chicago, St. Louis and New Orleans R'y and Mississippi and Tennessee Railroad Co , consolidated agreement		Apr. 1, 15, 1889	P341	420
Chickasaw Refining Company (amended)	Shelby	April 12, 1889	P	351
Chattanooga Water and Power Company (amended)	Hamilton	April 29, 1889	P	367
Congregation Tifhares Israel	Shelby	June 13, 1889	P	399
Chattanooga Electric Street Railroad (amended)	Hamilton	June 14, 1889	P	400
Chattanooga Historical Association	Hamilton	July 8, 1889	P	408
City Electric Railway Company (amended)	Davidson	Aug. 9, 1889	P	431
Citizens' Bank of Jellico	Campbell	Aug. 23, 1889	P	436
Citizens' Loan and Trust Company	Hamilton	Sept. 14, 1889	P	447
Cincinnati, Alabama and Atlantic R. R. Co. (consolidation)		Sept. 12, 1889	P	451
Chattanooga Water and Power Company (amended)	Hamilton	Oct. 5, 1889	P	468
Carter, Magill & Ewing (amended)	Hamilton	Oct. 7, 1889	P	470
City Electric Railway Company (amended)	Davidson	Oct. 10, 1889	P	472
Chattanooga Banking and Trust Company (amended)	Hamilton	Oct. 17, 1889	P	473
Covenant Health Accident and Life Association	Knox	Oct. 31, 1889	P	483
Central Benefit Association	Obion	Dec. 11, 1889	P	503
City Water Company	Hamilton	Dec. 14, 1889	P	504
Citizens' Rapid Transit Company (amended)	Davidson	Jan. 4, 1890	P	517
Covenant Building and Loan Association	Knox	Jan. 23, 1890	P	521
Calvary Baptist Church	Knox	Feb. 6, 1890	P	524
City and Suburban Land Company	Knox	Mar. 17, 1890	P	551
Chattanooga Baking and Candy Company (amended)	Hamilton	Mar. 25, 1890	P	552
Charleston, Cincinnati and Chicago R. R. (consolidated)		May 15, 1890	P	582
Casey Boiler Manufacturing Company (amended)	Hamilton	May 21, 1890	P	592
Cove Bend Land and Phosphate Company	Humphreys	July 22, 1890	P	608
Colored Farmers' Right Society	Madison	Aug. 19, 1890	P	646
Chattanooga Brewing Company	Hamilton	Aug. 26, 1890	P	657
Clinton Water-works Company	Anderson	Sept. 8, 1890	P	669
Chattanooga Savings, Loan and Trust Company	Hamilton	Oct. 7, 1890	P	689
Chattanooga Basket and Package Company (amended)	Hamilton	Oct. 30, 1890	P	709
Continental Savings Bank of Memphis (amended)	Shelby	Nov. 1, 1890	P	710
Corporation of North Athens	McMinn	Dec. 1, 1890	P	720
Citizens' Building and Loan Association	Knox	Dec. 20, 1890	P	745
Chattanooga Electric Railway (consolidated)		Jan. 5, 1891	P P	23
Chattanooga Church Extension Society of the M. E. Church.	Hamilton	Jan. 24, 1889	O	95
Chattanooga Art Association	Hamilton	March 7, 1889	O	110
Christian Bond of Chattanooga	Hamilton	April 12, 1889	O	114
Chickamauga Club	Hamilton	June 18, 1889	O	128
Confederate Veterans' Association of Upper East Tennessee	Hamblen	July 31, 1889	O	137
Chattanooga Athletic Association	Hamilton	Aug. 14, 1889	O	139
Chickamauga Club	Hamilton	Sept. 11, 1889	O	146
Commercial Association	Shelby	Oct. 23, 1889	O	154
Chamber of Commerce	Hamblen	Nov. 29, 1889	O	159
Chattannooga Turn Verein	Hamilton	Feb. 22, 1890	O	171
Commercial Union of Union City	Obion	April 2, 1890	O	178
Congregation Bith El Emmeth	Shelby	April 7, 1890	O	179
Commercial Club of Shelbyville	Bedford	Aug. 21, 1890	O	197
D				
Drummond Alliance Company	Tipton	Jan. 10, 1889	T	169
Dyer Fruit-box Manufacturing Company	Gibson	Feb. 25, 1889	T	229
Duncan, Jehl & Tucker Queensware Company	Shelby	Mar. 29, 1889	T	259
Dyersburg Cotton Compress and Storage Company	Dyer.	June 3, 1889	T	333
Dayton Pump and Hardware Manufacturing Company	Rhea.	July 1, 1889	T	357
Diamond Huller and Oil Company	Shelby	July 20, 1889	T	381
Dyer County Bank	Dyer	Aug. 1, 1889	T	385
Democrat Publishing Company	Shelby	Dec. 3, 1889	T	495
Dyer Station Trade Association	Gibson	Dec. 4, 1889	T	497
Dyer Fruit-box and Manufacturing Company	Gibson	Dec. 13, 1889	T	415
Denlodge Building and Improvement Association (limited)	Morgan	March 7, 1890	U	

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Davis & Sheni Brick and Terra Cotta Company	Hamilton	Mar. 28, 1890	U	25
Duncan Hotel Company	Davidson	April 25, 1890	U	42
Dayton City Electric Light Company	Rhea	May 17, 1890	U	62
Dayton City Water, Ice and Cold Storage Company	Rhea	May 17, 1890	U	66
Dayton Pottery Manufacturing Company	Rhea	May 21, 1890	U	70
Dayton Canning Company	Rhea	May 26, 1890	U	73
Davis Quarry Company	Claiborne	Oct. 18, 1890	U	134
Dr. H. S. Thacher Medicine Company	Hamilton	Dec. 5, 1890	U	167
Duck River Ridge Turnpike Company	Williamson	Feb. 4, 1889	S	201
Damascus and Shady Railroad Company	Johnson	Mar. 30, 1889	S	233
Douglass Opera-house Company	Tipton	April 10, 1889	vol 1,	59
Dresden Bank	Weakley	Aug. 23, 1889	“	71
Dickson Bank and Trust Company	Dickson	June 21, 1890	“	103
Dayton Land Company	Rhea	May 16, 1890	Q	63
Dayton Ice, Bottling and Cold Storage Company	Rhea	Dec. 31, 1890	Q	100
Dunlap Coal, Iron and Railway Company	Sequatchie	July 1, 1890	Q Q	123
Dickson Sanitry and Improvement Company	Dickson	Oct. 11, 1890	Q Q	140
Dayton, the corporation of	Rhea	Oct. 14, 1890	Q Q	141
Dunlap Coal and Iron Company	Sequatchie	Oct. 22, 1890	Q Q	144
Delta Stove Company	Shelby	Jan. 18, 1889	P	286
Dayton Railway, Land and Improvement Company	Rhea	May 9, 1890	P	570
Dowling Manufacturing Company	Davidson	June 20, 1890	P	600
Duthie Machine and Foundry Company	Roane	Aug. 20, 1890	P	648
E				
Equitable Building and Loan Association	Montgomery	Feb. 13, 1889	T	215
Equal Justice Warehouse Association	Montgomery	March 2, 1889	T	235
East Tennessee Wine Company	Morgan	March 8, 1889	T	245
Emory River Boom and Lumber Company	Morgan	April 20, 1889	T	275
East Tennessee Furniture Company	Knox	May 15, 1889	T	315
Eclipse Manufacturing Company	Davidson	June 17, 1889	T	347
Elk Run Merchants' Mill Company	Giles	Aug. 7, 1889	T	389
East Tennessee Stone and Marble Company	Knox	Aug. 12, 1889	T	401
Equitable Building and Loan Association	Davidson	Sept. 18, 1889	T	437
Equitable Building and Loan Association	Davidson	Nov. 9, 1889	T	479
East Tennessee Lumber Company	Knox	Mar. 10, 1890	U	8
East Chattanooga Gas Light Company	Hamilton	Mar. 25, 1890	U	20
Elk Valley Coal and Iron Company	Knox	April 4, 1890	U	36
East Knoxville Lumber and Manufacturing Company	Knox	April 28, 1890	U	44
Emory River Planing Mill Company	Roane	May 21, 1890	U	69
Equitable Savings Association	Hamilton	Sept. 13, 1890	U	115
East Tennessee Medicine Company	Washington	Nov. 22, 1890	U	157
East End Railway Company	Knox	March 7, 1889	R	28
Evansville and Chattanooga Railway Company	Davidson	Jan. 18, 1889	S	197
Embreeville and Erwin Railway Company	Unicoi	June 10, 1889	S	433
East Tennessee Loan and Guarantee Company	Washington	Oct. 15, 1890	v'l 1,	118
Electric Signal Manufacturing Company	Davidson	Jan. 17, 1889	N	104
Economy Freezer and Manufacturing Company	Hamilton	Aug. 30, 1889	N	123
East Tennessee Driving Association	Washington	May 10, 1890	N	161
Equitable Building Association	Hamilton	June 20, 1890	N	166
East Tennessee Land Company	Carter	May 24, 1889	Q	36
East Chatttanooga Land Company	Hamilton	Oct. 5, 1889	Q	40
East Tennessee Land Company	Morgan	Feb. 17, 1890	Q	51
East Cumberland Gap Land Company	Claiborne	Mar. 24, 1890	Q	55
Eureka Real Estate Company	Knox	May 22, 1890	Q	65
East Cumberland Gap Hotel Company	Claiborne	Sept. 15, 1890	Q	85
St. Elmo Land and Improvement Company	Hamilton	Sept. 19, 1890	Q	86
East Lake and Improvement Company	Knox	Mar. 16, 1889	Q Q	42
Edgefield Land Company	Davidson	Mar. 15, 1890	Q Q	70
Evans Land and Lumber Company	Hamilton	Mar. 19, 1890	Q Q	74
East Addition Real Estate Company	Davidson	July 12, 1890	Q Q	127
Emmerson Buggy and Cart Company	Davidson	Feb. 7, 1890	J J	51
East Tennessee Bessemer Ore Company	Knox	Mar. 8, 1890	J J	56
Empire Elevator, Mill and Warehouse Company	Shelby	Aug. 23, 1890	J J	95
East Tennessee Land Company	Washington	Nov. 7, 1889	P	488
East Tennessee Land Company (amended)	Roane	Oct. 16, 1890	P	692
Enterprise Soap Works (amended)	Davidson	Oct. 18, 1890	P	702
E. Star Society of Tennessee	Davidson	Feb. 5, 1889	O	96
Excelsior Club	Davidson	Feb. 13, 1889	O	99

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
"Ecce Quam Bonum Club."	Franklin	June 15, 1889	O	127
Eureka Academy Association	Bradley	Feb. 17, 1890	O	169
Exchange Club	Davidson	June 5, 1890	O	191
F				
Farmers' Roller Mill Company	Wilson	July 9, 1889	T	369
Franklin Electric Light and Power Company	Williamson	Aug. 29, 1889	T	415
Franklin Steam Laudry and Manufacturing Company	Williamson	Sept. 5, 1889	T	421
Farmers' and Laborers' Co-operative Store	Wilson	Sept. 13, 1889	T	431
Fruitland Mercantile Company	Gibson	Feb. 6, 1890	T	570
Fassnacht Carriage and Wagon Works Company	Hamilton	May 16, 1890	U	56
Freedmen's Building and Loan Association	Knox	Aug. 7, 1890	U	104
Fork Ridge Coal Company	Claiborne	Dec. 12, 1890	U	170
Fountain Head Railroad Company	Knox	Nov. 4, 1889	S	297
Fairmount Valley Railroad Company	Hamilton	Jan. 16, 1890	S	357
Franklin and Nashville Rapid Transit Company	Williamson	Mar. 12, 1890	S	369
Farmers' and Merchants' Bank of Ripley	Lauderdale	Jan. 9, 1890	vol 1,	89
Farmers' and Merchants' Bank at Humboldt	Gibson	Feb. 5, 1890	"	91
Farmers' and Merchants' Bank of Union City	Obion	June 30, 1890	"	105
Farmers' Bank of Whitesburg	Hamblen	Dec. 31, 1890	"	129
Farmers' and Laborers' Union of Tennessee	Davidson	Jan. 25, 1889	N	106
Farmers' Savings, Building and Loan Association	Davidson	Nov. 21, 1889	N	133
Fulton Normal School and Business College	Obion	July 7, 1890	N	168
French Broad River Transportation Company	Sevier	Aug. 14, 1889	Q	37
Fayetteville Water Works Company	Lincoln	Nov. 26, 1889	Q	43
Fountain Head Land Company	Knox	Nov. 2, 1889	Q Q	53
Fairview Land Company	Shelby	Nov. 5, 1889	Q Q	55
Fairmount Land Company	Hamilton	April 21, 1890	Q Q	93
Farrell Electric Steam and Light Company	Hamilton	June 20, 1890	Q Q	118
Fidelity Coal and Iron Company	Hamilton	Aug. 20, 1890	Q Q	134
Farmers' and Laborers' Union Store	Williamson	Oct. 23, 1889	J J	40
Falling Water Manufacturing Company	White	Feb. 8, 1890	J J	52
Farrow Arms and Cartridge Company	Tipton	Sept. 18, 1890	J J	105
Farmers' Store	Hardeman	Jan. 19, 1889	P	289
Florence Northern Railroad Company (agreement)	Filed	April 9, 1889	P	378
Fall Branch Educational Society	Washington	Aug. 7, 1889	P	428
Farmers' Stock Store Association	Montgomery	Sept. 3, 1889	P	444
First Presbyterian Church of Dayton	Rhea	Sept. 16, 1889	P	448
Franklin County Agricultural and Mechanical Fair Ass'n.	Franklin	April 15, 1890	P	556
First Methodist Episcopal Church of Harriman	Roane	May 1, 1890	P	579
Fairmount Land Company	Sullivan	Aug. 22, 1890	P	651
Fulton Double-headed Match Company	Obion	Oct. 30, 1890	P	706
Farmers' Exchange	Shelby	June 3, 1889	O	125
Forest Hill Church	Blount	June 25, 1889	O	131
First Presbyterian Church of South Pittsburg	Marion	Mar. 10, 1890	O	176
Farmers' and Laborers' Union	Davidson	June 9, 1890	O	192
Freewill Methodist Episcopal Church	Davidson	Sept. 22, 1890	O	201
Franklin County Commercial Club	Franklin	Oct. 6, 1890	O	204
First Unitarian Society of Chattanooga	Hamilton	Dec. 13, 1890	O	210
G				
Gibson-Lone Manufacturing Company	Hamilton	Jan. 4, 1889	T	161
Godwin J. R., Cotton Company	Shelby	Feb. 22, 1889	T	225
Gamble E. W., Grocery Company	Maury	Feb. 27, 1889	T	233
Gibson-Wells Company	Gibson	Mar. 25, 1889	T	257
Giles County Creamery.	Giles	April 26, 1889	T	297
Goodman & Churchill Grocery Company	Shelby	July 16, 1889	T	375
Germantown High School	Shelby	Aug. 29, 1889	T	417
Gibson County Roller Mill Company	Gibson	April 15, 1890	U	39
General Supply Company of Orlinda	Robertson	April 28, 1890	U	43
Genesis and Obey River Telephone and Telegraph Co.	Cumberland.	June 10, 1890	U	80
Gazette Company	Monroe	Oct. 28, 1890	U	137
Great Southern Stock Yards	Davidson	Nov. 8, 1890	U	150
Gold Mountain Mining Company	Shelby	Dec. 22, 1890	U	179
Greene County Bank	Greene	Oct. 14, 1890	v'l 1,	117
Grand Opera-house Company	Shelby	May 14, 1890	N	113
Gordonville Hotel Company	Smith	July 18, 1889	N	119
Giles County Farmers' and Laborers' Union Exchange	Giles	Feb. 12, 1890	N	141

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Greeneville Land and Improvement Company	Greene	Nov. 11, 1889	Q	42
George Peabody Real Estate Company	Shelby	Feb. 8, 1889	Q	49
Glenwood Company	Hamilton	April 15, 1890	Q	59
Graham Ice Manufacturing Company	Washington	Aug. 16, 1890	Q	71
Glen Alpine Land Company	Sevier	Feb. 17, 1890	Q Q	66
Glen View Land Company	Hamilton	Mar. 18, 1890	Q Q	73
Grotto Park Land Company	Hamilton	Sept. 10, 1890	Q Q	134
Georgia Gas Improvement Company	Hamilton	Aug. 23, 1889	J J	36
Grubbs Cracker and Candy Company	Davidson	Oct. 11, 1889	J J	39
George Leslie Carriage Company	Davidson	Feb. 13, 1890	J J	54
Gibson Agricultural Works	Hamilton	June 18, 1890	J J	81
Gracey Woodward Iron Company	Montgomery	June 28, 1890	J J	84
Gallatin Roller Mill Company	Sumner	Aug. 23, 1890	J J	96
Greer Machinery Company	Knox	Oct. 17, 1890	J J	113
Globe Pneumatic Railway Company	Davidson	March 9, 1889	P	327
Genesis and Obey River Railway Company (amended)	Cumberland	June 10, 1890	P	599
Globe Oil and Fertilizing Company (amended)	Shelby	Aug. 13, 1890	P	633
Greeneville Tobacco Association	Greene	Sept. 4, 1890	P	663
Girard Investment Company	Davidson	Dec. 27, 1890	P P	6
Grant Memorial University	Hamilton	April 27, 1889	O	118
Great Western Benevolent Association	Gibson	Oct. 3, 1889	O	151
Grand Council People's Mutual Life Insurance Order	Davidson	Nov. 1, 1889	O	155
H				
Home Investment Company	Hamilton	Jan. 21, 1889	T	179
Home Building and Loan Association	Shelby	March 4, 1889	T	237
Hotel Fairmount	Sullivan	May 20, 1889	T	322
Houston College	Houston	June 1, 1889	T	331
Home Mill Company	Greene	June 7, 1889	T	338
Henry County Fair and Trotting Horse Association	Henry	July 24, 1889	T	383
Humboldt Progressive Times Printing and Publishing Co.	Gibson	Sept. 6, 1889	T	419
Home Building and Loan Association	Shelby	Nov 16, 1889	T	485
Hill Shoe Company	Shelby	Nov. 19, 1889	T	487
Haywood County Building and Loan Association	Haywood	Jan. 22, 1890	T	551
Hurstburg Spoke Company	Humphreys	Jan. 29, 1890	T	559
Humboldt Building and Loan Association (amended)	Gibson	Feb. 1, 1890	T	563
H. B. Oliver & Company	Smith	Mar. 11, 1890	U	10
Harriman Brick and Building Company	Roane	Mar. 26, 1890	U	22
Harry Myers Manufacturing Company	Davidson	April 30, 1890	U	48
Home Chitto Lumber Company	Shelby	Aug. 8, 1890	U	105
Home Bank & Loan Company	Hamilton	Oct. 30, 1890	U	139
Humboldt Street Railway Company	Gibson	Sept. 7, 1889	R	38
Harriman Street Railway Company	Roane	Mar. 27, 1890	R	52
Holston Railway Company	Knox	Jan. 15, 1889	S	193
Hiwassee Iron, Mineral and Railroad Company	McMinn	May 9, 1889	S	253
Harriman Railway and Construction Company	Roane	Mar. 25, 1890	S	381
Harriman and Cardiff Dummy Railway Company	Roane	May 23, 1890	S	417
Home Bank	Franklin	Jan. 28, 1889	vol 1,	52
Haywood County Bank	Haywood	June 29, 1889	"	64
Holston Banking and Trust Company	Knox	Jan. 17, 1890	"	90
Harriman Savings Bank	Roane	Dec. 5, 1890	"	125
Home Building and Loan Association	Davidson	Aug. 17, 1889	N	122
House Building and Loan Association	Davidson	Feb. 6, 1889	N	140
Harriman Building and Loan Association	Roane	Mar. 26, 1890	N	145
Home Building and Loan Association	Madison	Mar. 31, 1890	N	147
Home Building and Loan Association	Knox	July 31, 1890	N	172
Herald Publishing Company	Davidson	March 7, 1889	Q	29
Highland View Investment Company	Hamilton	Sept. 17, 1889	Q	39
Henderson County Agricultural, Mechanical and Stockbreeders' Association	Henderson	May 16, 1890	Q	64
Hygeia Town Company	Claiborne	Feb. 18, 1890	Q Q	67
Harrogate Land Company	Claiborne	April 7, 1890	Q Q	84
Hiwassee Land Company	Hamilton	April 8, 1890	Q Q	85
Hamilton Springs Investment Company	Claiborne	June 16, 1890	Q Q	115
Harriman Hoe and Tool Company	Roane	June 20, 1890	Q Q	117
Homestead Investment Company	Davidson	Sept. 12, 1890	Q Q	137
Harrison Land Company	Hamilton	Nov. 10, 1890	Q Q	149
Homestead Iron Company	Knox	Nov. 24, 1890	Q Q	152
Hunt Carriage Manufacturing Company	Davidson	Jan. 4, 1889	J J	22

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Hickerson Lumber Company	Coffee	Jan. 24, 1889	J J	33
Hurricane Iron and Mining Company	Hickman	Mar. 13, 1890	J J	58
Harris-Weaver Building and Manufacturing Company	Washington	Aug. 18, 1890	J J	91
Hickman Milling Company	Smith	Jan. 31, 1889	P	296
Hall & Mason Shoe Company (amended)	Davidson	Feb. 15, 1889	P	308
Hall & Mason Shoe Company (amended)	Davidson	Feb. 16, 1889	P	312
Hanover Oil Works (amended)	Shelby	April 12, 1889	P	352
Hanover Oil Works (amended)	Shelby	April 20, 1889	P	364
Hart Turnpike Company (amended)	Davidson	May 8, 1889	P	372
Hall-McLester Company (amended)	Davidson	May 13, 1889	P	375
Home Benefit Association	Shelby	May 25, 1889	P	385
Hanover Oil Works (amended)	Shelby	Sept. 12, 1889	P	445
Hall-McLester Company (amended)	Davidson	Dec. 30, 1889	P	516
Home Building and Loan Association	Obion	Aug. 18, 1890	P	642
Harriman Manufacturing Company	Roane	Oct. 16, 1890	P	693
Henderson Land and Improvement Company	Hamilton	Oct. 17, 1890	P	697
Holston National Building and Loan Association	Sullivan	Oct. 17, 1890	P	700
Hermitage National Building and Loan Association	Davidson	Nov. 3, 1890	P	711
Harriman Tack Company	Roane	Dec. 6, 1890	P	728
Harriman Furnace Company	Roane	Dec. 6, 1890	P	731
Horace-Loving Home	Davidson	Mar. 14, 1889	O	111
Hannibal Medical College	Shelby	June 3, 1889	O	124
Homeopathic Medical Society	Davidson	Jan. 13, 1890	O	177
Halladay Independent Normal	Benton	May 31, 1890	O	190
Haywood County Farmers' and Breeders' Association	Haywood	Oct. 4, 1890	O	203
I				
I. O. O. F. Building and Loan Association	Knox	Dec. 12, 1889	T	511
Iron Belt Railway Company	Hamilton	Dec. 19, 1889	S	329
Investment, Safe Deposit and Trust Company	Knox	Sept. 3, 1889	vol 1,	72
Interstate Building and Loan Association	Davidson	July 19, 1889	N	120
Illinois Building and Loan Association	Davidson	Nov. 14, 1889	N	132
Iron Belt Development Company	Hamblen	April 27, 1889	Q Q	45
Ingles Land Company	Knox	April 5, 1890	Q Q	83
International Manufacturing and Supply Company	Hamilton	May 2, 1890	J J	68
Independent Daughters of Zion	Giles	Feb. 16, 1889	P	310
Independent Order of Sons and Daughters of Zion No. 13	Davidson	Jan. 23, 1889	O	94
Independent Pall Bearers No. 1 of Memphis	Shelby	Nov. 26, 1889	O	158
Independent Club	Davidson	April 30, 1890	O	183
J				
Jonesboro Building Association	Washington	Jan. 28, 1889	T	187
Jellico Coal Mining Company	Knox	April 10, 1889	T	265
Jefferson, Bank of	Jefferson	Aug. 12, 1889	T	397
Journal of Commerce Publishing Company	Hamilton	Sept. 9, 1889	T	425
Johnson City Water-works Company	Washington	Oct. 28, 1889	T	473
Junk Bros. Lumber and Manufacturing Co. (amended)	Davidson	Dec. 5, 1889	T	503
Jonesboro Cotton Mills	Washington	April 2, 1890	U	32
J. B. Anderson & Co	Smith	July 11, 1890	U	92
Jackson Fair	Madison	Aug. 1, 1890	U	101
Johnston-Vance Company	Shelby	Aug. 7, 1890	U	103
J. W. Sackett Company	Davidson	Sept. 27, 1890	U	121
Jackson County Agricultural and Mechanical Association	Jackson	Nov. 18, 1890	U	154
Johnson City and Carnegie Street Railway Company	Washington	Dec. 9, 1890	R	59
Jonesboro and Erwin Railroad Company	Washington	June 2, 1890	S	421
Jellico Terminal Street Railway Company	Campbell	June 13, 1890	S	437
Jones, Embrey & Talbott (incorporated)	Hamilton	Jan. 17, 1890	N	105
Johnson City Electric Light and Power Company	Washington	Feb. 15, 1890	N	142
Johnson City Hotel Company	Washington	Mar. 5, 1890	N	144
Johnson City Transfer Company	Washington	May 10, 1890	N	162
Johnson City Marble Company	Washington	June 30, 1890	N	167
Jackson Specialty Manufacturing Company	Madison	May 1, 1889	Q	34
Johnson City Land and Improvement Company	Washington	Feb. 26, 1890	Q	52
Johnson City Building and Improvement Company	Washington	June 16, 1890	Q	68
Jackson Mound Park	Shelby	June 17, 1890	Q	69
John R. Proctor Land Company	Washington	April 5, 1890	Q Q	82
Junk Bros. Lumber Company (amended)	Davidson	Jan. 5, 1889	J J	23
J. T. Howard & Co	Hamilton	July 9, 1889	J J	34

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Jasper City Mineral and Land Company	Marion	Mar. 22, 1890	J J	62
Jones Brick Company	Knox	April 28, 1890	J J	65
John Bull Medicine Company	Davidson	April 29, 1890	J J	66
Jackson Foundry and Machine Works	Madison	May 6, 1890	J J	71
Jackson Foundry and Machine Works	Madison	June 3, 1890	J J	76
Jackson Lumber and Manufacturing Company	Madison	June 25, 1890	J J	83
Jellico Coal Company	Knox	Aug. 28, 1890	J J	98
Jellico Ice Company	Campbell	Oct. 13, 1890	J J	110
Johnson City Wholesale Grocery Company	Washington	Jan. 28, 1889	P	295
Johnston & Vance Company (amended)	Shelby	Aug. 13, 1890	P	632
Jackson Club	Davidson	Feb. 7, 1890	O	167
Jefferson Reading and Dramatic Club	Davidson	Feb. 15, 1890	O	168
K				
Knoxville Hotel Association	Knox	April 26, 1889	T	287
Knoxville Trunk Company	Knox	Jan. 21, 1890	T	543
Knoxville Stoneware, Sewer Pipe and Tile Company	Knox	Mar. 11, 1890	U	9
Kensington Iron and Coal Company	Hamilton	Mar. 25, 1890	U	19
Kensington Cotton Manufacturing Company	Hamilton	April 3, 1890	U	33
Keystone Breeding and Live Stock Association	Bedford	July 1, 1890	U	89
Kingston Lumber and Manufacturing Co (amended.)	Roane	Nov. 12, 1890	U	151
Knoxville Sugar Company	Knox	Dec. 4, 1890	U	164
Kingston Street Railroad Company	Roane	Mar. 29, 1890	R	53
Knoxville and Cherokee Street Railroad Company	Knox	Oct. 27, 1890	R	56
Kansas City, Chattanooga and Port Royal Railroad Co	Hamilton	April 30, 1889	S	241
Knoxvillle and North-eastern Railway Company	Knox	June 27, 1889	S	269
Kingston Belt Railroad Company	Roane	May 10, 1890	S	405
Kansas City, Chattanooga, Augusta and Charleston R. R. Co	Hamilton	May 17, 1890	S	409
Knoxyille Western Railroad Company	Knox	July 24, 1890	S	455
Kingston Bank and Trust Company	Roane	Nov. 27, 1889	vol 1,	83
Knox County Bank and Trust Company	Knox	Aug. 27, 1890	v'l 1,	111
Kingston Lumber and Manufacturing Company	Roane	July 31, 1890	N	171
Katharine Building Association	Shelby	Sept. 4, 1890	Q	81
Knoxville Savings and Development Company	Knox	Jan. 6, 1890	Q Q	60
Knoxville Lake Park Spring Company	Knox	Mar. 26, 1890	Q Q	80
Kingston Land Company	Hamilton	April 2, 1890	Q Q	81
Kimball Town Company	Marion	May 6, 1890	Q Q	99
Kimball Construction Company	Hamilton	July 14, 1890	Q Q	128
Kingsport Land Company	Sullivan	Sept. 12, 1890	Q Q	136
Knox County Union Roller Mill Company	Knox	Mar. 22, 1890	J J	63
Kingston Land and Improvement Company	Roane	June 6, 1889	P	392
Knoxville Street Railroad Company (consolidated	Knox	Oct. 23, 1889	P	479
Knoxville Building and Loan Association (amended)	Knox	Nov 4, 1889	P	486
Knoxville Brewing Company	Knox	April 28, 1890	P	561
Knoxville Base Ball Club	Knox	Aug. 7, 1890	P	616
Knoxville Rapid Transit Company	Knox	Oct. 4, 1890	P	686
Knoxville Electric Light and Power Company (amended).	Knox	Oct. 17, 1890	P	696
Knoxville, Cumberland Gap and Louisville Railroad Company (amended)	Knox	Nov. 3, 1890	P	712
Knoxville Street Railroad Company (consolidated)	Filed	Dec. 31, 1890	P P	26
Knoxville Colored Orphanage	Knox	April 8, 1889	O	113
Knoxville Merchants' and Manufacturers' Club	Knox	May 24, 1889	O	122
Knoxille Banner Lodge No. 1653 Grand United Order Odd Fellows	Knox	Nov. 6, 1890	O	175
L				
London Penick Grocery and Commission Company	Shelby	Feb. 19, 1889	T	217
Lebanon Building and Loan Association	Wilson	May 9, 1889	T	305
Laurel Dale Cemetery	Morgan	May 13, 1889	T	311
Lincoln County Fair Association	Lincoln	May 15, 1889	T	317
Lawrenceburg Manufacturing Company	Lawrence	May 18, 1889	T	319
Lebanon Electric Light Company	Wilson	June 7, 1889	T	339
Lebanon Stock Yard Company	Wilson	Feb. 24, 1890	U	4
Lookout Mountain University	Hamilton	April 1, 1890	U	30
Lowrey-Porter Shoe Company	Shelby	April 11, 1890	U	37
Little Hopewell Missionary Baptist Church	Sequatchie	May 7, 1890	U	51
Loudon Lumber Company	Loudon	May 12, 1890	U	56
Lawrenceburg Brick and Tile Manufacturing Company	Lawrence	June 12, 1890	U	83

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Langstaff Hardware Company	Shelby	July 2, 1890	U	90
Labor Union Store	Maury	Aug. 16, 1890	U	108
Laboring Men's Commercial Stock Company	Davidson	Aug. 29, 1890	U	109
Lebanon Street Railway Company	Wilson	June 11, 1889	R	32
Lewisburg, Belfast and Pittsburg, Tenn., Turnpike Co	Marshall	Feb. 7, 1889	S	205
Louisville, Cumberland Gap & Atlantic Railroad Co	Washington	March 6, 1889	S	221
Lewisburg and Springplace Turnpike Company	Marshall	Nov. 13, 1889	S	301
Lebanon and Dixon Springs Turnpike Company	Wilson	Dec. 10, 1889	S	321
Lookout Grand View Incline Company	Hamilton	Feb. 18, 1890	S	365
Lenoir City and Cincinnati Railway Company	Knox	July 10, 1890	S	449
Lookout Mountain Railway Company	Hamilton	Oct. 4, 1890	S	485
Loan and Investment Company	Maury	Sept. 14, 1889	vol 1,	76
Lawrence Bank and Trust Company	Lawrence	Oct. 17, 1889	"	79
Lenoir City Bank	Loudon	June 20, 1890	"	102
Lynnville Bank and Trust Company	Giles	Sept. 9, 1890	"	114
Little Hope Academy Association	Bradley	Nov. 14, 1889	N	131
Lincoln County Building and Loan Association	Lincoln	April 1, 1890	N	148
Laborers' Benefit Association	Knox	April 28, 1890	N	157
Lonsdale Land Company	Knox	Feb. 27, 1890	Q	53
Lakeside Land and Improvement Company	Sullivan	April 14, 1890	Q	58
Luttrell Town Company	Union	June 14, 1890	Q	67
Loudon Quarrying Company	Loudon	Aug. 16, 1890	Q	78
Lenoir City Land Company	Loudon	April 11, 1890	Q Q	87
Land, Timber, Iron, Marble and Development Company	Hamblen	April 12, 1890	Q Q	90
Lenoir City Company	Loudon	April 15, 1890	Q Q	91
Lawrenceburg Land Company	Lawrence	April 21, 1890	Q Q	92
Loudon Land Company	Loudon	May 1, 1890	Q Q	97
Lawrenceburg Land and Mineral Company	Lawrence	Oct. 22, 1890	Q Q	145
Little Silver King Mining and Manufacturing Company	Hamilton	Nov. 13, 1889	J J	42
Little Mill Company	Williamson	Dec. 13, 1889	J J	44
Leeper Manufacturing Company	Loudon	Feb. 25, 1890	J J	50
Levi Dodge Lumber Company	Davidson	Mar. 18, 1890	J J	60
Light Hand Fire Engine Manufacturing Company	Davidson	April 28, 1890	J J	64
Lonsdale Mill Company	Knox	May 28, 1890	J J	74
Louisa Iron Company	Montgomery	June 13, 1890	J J	79
Lewisburg Mill Company	Marshall	Aug. 20, 1890	J J	92
Liberty Mills	Davidson	Aug. 29, 1890	J J	102
Lawrenceburg Press Brick Company	Lawrence	Sept. 3, 1890	J J	103
Lauderdale County Fair Association	Lauderdale	July 11, 1890	P	411
Lookout Mountain Camp-meeting Association of Spiritualists (amended)	Hamilton	Aug. 8, 1889	P	430
Lynchburg and West Mulberry Turnpike Company	Moore	Sept. 20, 1889	P	449
Lexington Baptist Male and Female College	Henderson	May 1, 1890	P	580
Liberty Daily Transfer Company	DeKalb	(Void)	P	596
Lookout Iron Company (amended)	Benton	Dec. 6, 1890	P	735
Ladies' Hermitage Association	Davidson	Feb. 20, 1889	O	104
Lake Wildwood Camp-meeting and Educational Ass'n	Bradley	June 14, 1889	O	126
Ladies' Benevolent Society No. 2	Davidson	Sept. 10, 1889	O	145
Lawrence County Agricultural Association	Lawrence	Dec. 24, 1889	O	168
M				
Maryville Water-works Company	Blount	Jan. 2, 1889	T	157
Memphis Medicine Company	Shelby	Jan. 29, 1889	T	189
Morristown Tobacco Manufacturing Company	Hamblen	Feb. 4, 1889	T	201
Memphis-Colorado Gold Mining Company	Shelby	April 23, 1889	T	283
Morrison Lumber Company	Hamilton	May 8, 1889	T	303
McMinnville Natural Gas and Oil Company	Warren	June 5, 1889	T	335
McNairy County Real Estate and Investment Company	McNairy	July 6, 1889	T	363
Merchants' and Mechanics' Building and Loan Association (amended)	Hamilton	Aug. 15, 1889	T	405
Microcide Medicine Company	Davidson	Sept. 25, 1889	T	445
Memphis Hedge Company	Shelby	Sept. 10, 1889	T	463
M. J. O'Brien Grocery Company	Hamilton	Oct. 22, 1889	T	471
Moltke Mercantile and Milling Company	Stewart	Nov. 8, 1889	T	477
Mutual Coal, Coke and Timber Company	Washington	Nov. 16, 1889	T	483
Morristown Medicine Company	Hamblen	Feb. 5, 1890	T	567
Mutual Aid Society of Tennessee	Knox	Mar. 12, 1890	U	11
Mountain City Mill Company	Hamilton	Mar. 22, 1890	U	17
Memphis Light and Power Company	Shelby	Mar. 26, 1890	U	23

CHARTERED CORPORATIONS—*Continued.*

Name of Corporation.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Manogue Pidgeon Iron Company	Shelby	April 1, 1890	U	29
Moulton-Davis Commission Company	Shelby	May 13, 1890	U	57
Moulton-Davis Commission Company (amended)	Shelby	May 19, 1890	U	64
McNeely Towboat Company	Shelby	May 21, 1890	U	71
Memphis Paper Company	Shelby	May 22, 1890	U	72
Memphis and Arkansas Ferry Company	Shelby	June 26, 1890	U	88
Memphis Collecting Company	Shelby	June 30, 1889	U	99
McKesson & Shaw Company	Montgomery	Oct. 10, 1890	U	125
Memphis Lyceum	Shelby	Dec. 1, 1890	U	162
Medoc Wine Company	Shelby	Dec. 27, 1890	U	180
Murfreesboro Street Car Railroad Company	Rutherford	Oct. 11, 1889	R	41
Memphis Electric Railway Company	Shelby	Oct. 12, 1889	R	42
Murfreesboro Street Car Railroad Company	Rutherford	Oct. 31, 1889	R	43
Middlebrook Street Railroad Company	Knox	Nov. 4, 1889	R	47
Mossy Creek and Carnsville Street Railroad Company	Jefferson	June 27, 1890	R	56
Memphis Belt Line and Suburban Railway Company	Shelby	Mar. 25, 1889	S	229
Mountain Short Line Incline Company	Hamilton	Aug. 6, 1889	S	281
Memphis, Nashville and Atlantic Railway Company	Davidson	Oct. 28, 1889	S	293
Morristown and Cumberland Gap Railroad Company	Hamblen	Mar. 17, 1890	S	373
Morristown and Cumberland Gap Railroad Company	Hamblen	April 14, 1890	S	393
Middlesboro Belt Railroad Company	Claiborne	Aug. 20, 1890	S	469
Miners' and Merchants' Bank	Grundy	Sept. 7, 1889	vol 1,	73
Mossy Creek Bank	Jefferson	Feb. 19, 1890	vol 1,	94
Merchants' Bank of Morristown	Hamblen	July 19, 1890	v'l 1.	106
Merchants' Exchange Bank	Sullivan	Nov. 3, 1890	v'l 1,	122
Merchants' and Traders' Bank	Washington	Dec. 26, 1890	v'l 1,	128
Memphis Tribune Company	Shelby	Mar. 2, 1889	N	109
Memphis Spoke Company	Shelby	Mar. 25, 1889	N	115
Moccasin Rifles	Hamilton	April 10, 1890	N	151
Morrstown Water-works Company	Hamilton	May 19, 1890	N	163
Mutual Building and Loan Association	Greene	July 21, 1890	N	170
Mayberry Underwriting Company	Hamilton	July 15, 1890	Q	73
Mechanics' Mutual Building and Loan Association	Washington	Nov. 28, 1890	Q	91
Mutual Building and Improvement Company	Knox	Feb. 14, 1889	Q Q	39
Memphis Building and Construction Company	Shelby	July 20, 1889	Q Q	49
Morristown Real Estate Company	Hamblen	Mar. 18, 1890	Q Q	73
Morristown Consolidated Land and Improvement Co.	Hamblen	April 30, 1890	Q Q	96
Marion Land Company	Hamilton	June 4, 1890	Q Q	109
Memphis Manufacturing and Building Company	Shelby	Jan. 5, 1890	Q Q	117
Maryvile Real Estate Company	Blount	June 23, 1890	Q Q	122
Murkin Carriage Company	Davidson	Feb. 13, 1889	J J	26
Mingo Mountain Coal and Coke Company	Claiborne	Dec. 13, 1889	J J	45
Morris' Hay and Commission Company	Shelby	Aug. 28, 1890	J J	101
Monarch Gold Mining Company	Knox	Dec. 2, 1890	J J	119
Mossy Creek Manufacturing Company	Jefferson	Jan. 16, 1889	P	281
McGavock and Mt. Vernon Horse Railway Co (amended)	Davidson	Jan. 22, 1889	P	291
Merchants' Cotton Press and Storage Company (amended)	Shelby	Mar. 15, 1889	P	336
Mississippi and Tennessee Railroad Co. } Consolidated		April 1, 1889	P	341
Chicago, St. L. and New Orleans R. R. Co. } agreement.		April 15, 1889	P	420
MeCombs Hardware Company	Shelby	May 22, 1889	P	383
Memphis Lighting and Power Companies	Shelby	June 10, 1889	P	396
Memphis Baptist Bible and Normal Institute	Shelby	Sept. 25, 1889	P	425
Mrs. H. Welsh High School	Obion	Aug. 3, 1889	P	427
Memphis Cotton Seed Company	Shelby	Sept. 12, 1889	P	446
Memphis Electric Railway Company (amended)	Shelby	Nov. 28, 1889	P	498
Murfreesboro Gas Light Company (amended)	Rutherford	Nov. 29, 1889	P	499
Memphis Institute	Shelby	Jan. 4, 1890	P	518
Memphis and Atlantic Railway Company (consolidated)	Filed	Feb. 22, 1880	P	532
Mount Moriah Baptist Church	Fayette	Feb. 28, 1890	P	540
Mount Pleasant Cemetery Company	Fayette	Mar. 29, 1890	P	554
McLemoresville Collegiate Institute	Carroll	May 30, 1890	P	597
Middle and East Tenn. Central Railway Co (amended)	Sumner	July 23, 1890	P	610
Memphis Real Estate Exchange	Shelby	July 30, 1890	P	611
Mansfield Mill Company	Bradley	Aug. 14, 1890	P	637
Morristown Company	Hamblen	Sept. 16, 1890	P	682
Memphis Electric Railway Company (amended)	Shelby	Sept. 18, 1890	P	683
Madison Heights, Contracting Limits of	Shelby	Oct. 20, 1890	P	703
Murfreesboro Water-works Company	Rutherford	Nov. 17, 1890	P	714
Mingo Mountain Coal and Coke Company (amended)	Claiborne	Nov. 17, 1890	P	719
Marlietta and North Georgia R'y Company (amended)	Filed	Dec. 30, 1890	P P	12

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Montgomery Guards of Memphis	Shelby	Feb. 8, 1889	O	98
Memphis Theatrical Mechanics Association	Shelby	Feb. 18, 1889	O	102
Martha Massengill Orphanage	Knox	March 7, 1889	O	109
Memphis Cotton Exchange	Shelby	April 17, 1889	O	116
Mechanics' Club of West Nashville	Davidson	May 25, 1889	O	123
Memphis Choral Society	Shelby	June 27, 1889	O	134
Methodist Advocate Endowment Fund	Hamilton	Aug. 17, 1889	O	140
Mountain City Club	Hamilton	Aug. 28, 1890	O	142
Mohawk Seminary	Greene	Sept. 2, 1889	O	144
Mutual Aid Benefit Association	Coffee	Oct. 3, 1889	O	150
Merchants' Detective and Protective Association	Davidson	Nov. 14, 1889	O	156
Moccasin Club	Hamilton	Nov. 15, 1889	O	157
Memento Mori Society	Davidson	Dec. 6, 1889	O	161
Memphis Interstate Agricultura & Mechanical Fair Ass'n.	Shelby	May 13, 1890	O	188
Methodist Church Aid Society	Davidson	Aug. 6, 1890	O	196
N				
Nashville Real Estate Investment Association	Davidson	Feb. 26, 1889	T	231
Newport Cotton Compress Storage Company	Shelby	Mar. 22, 1889	T	255
Nashville Trout Ponds	Davidson	June 21, 1889	T	351
Nashville Furnace Company	Davidson	July 5, 1889	T	361
National Manufacturing Company	Hamilton	Aug. 24, 1889	T	411
North American Publishing Company	Davidson	Sept. 19, 1889	T	441
New South National Building and Loan Association	Knox	Jan. 7, 1890	T	535
Newport Flouring Mill Company	Cocke	Feb. 8, 1890	T	571
Newbern Cemetery Association	Dyer	Feb. 26, 1890	U	5
New York Dry Goods Company	Bedford	Mar. 21, 1890	U	16
Nashville Tribune Publishing Company	Davidson	April 30, 1889	U	47
North Chattanooga Engine Company	Hamilton	June 24, 1890	U	86
Nashville Packing Company	Davidson	Sept. 19, 1890	U	118
Nashville and Gallatin Manufacturing Company	Davidson	Oct. 30, 1890	U	140
New England Southern Timber and Land Company	Greene	Nov. 5, 1890	U	147
Newport Water-works	Cocke	Nov. 14, 1890	U	153
Nashville Co-operative Association	Davidson	Nov. 26, 1890	U	158
National Railway Water Service Company	Shelby	Dec. 1, 1890	U	161
North Chattanooga Street Car Company	Hamilton	Aug. 10, 1889	R	37
Nashville Electric Railway and Power Company	Davidson	April 24, 1890	R	54
Nashville and Northern Railroad Company	Davidson	Aug. 17, 1889	S	285
Narrows Terminal Company	Campbell	June 13, 1890	S	441
Newport and Southern Railroad Company	Cocke	Nov. 15, 1890	S	492
Nashville Trust Company	Davidson	July 6, 1889	vol 1,	68
New England Banking and Trust Company	Hamilton	Nov. 30, 1889	"	84
New England Banking and Trust Company of Sequatchie	Marion	Sept. 4, 1890	"	113
Newport Tobacco Manufacturing Company	Cocke	Feb. 17, 1890	N	148
National Building and Loan Association	Knox	April 21, 1890	N	155
North Knoxville Lot and Building Association	Knox	Dec. 5, 1890	Q	45
Newport Real Estate Company	Cocke	May 10, 1890	Q	61
New Haven Land and Improvement Company	Jefferson	July 12, 1890	Q	71
Nixon Addition Land Company	Roane	Aug. 23, 1890	Q	79
Northside Improvement Company	Hamilton	Sept. 13, 1890	Q	83
Newport Electric Light and Power Company	Cocke	Nov. 15, 1890	Q	89
Newport Development Company	Cocke	Nov. 15, 1890	Q	90
National Association	Knox	Dec. 4, 1890	Q	92
Newport Mineral Springs Company	Cocke	Dec. 20, 1890	Q	96
Newport Construction Company	Cocke	Dec. 20, 1890	Q	97
North Knoxville Land Company	Knox	Feb. 14, 1889	Q Q	40
New England Improvement Company	Hamilton	April 10, 1889	Q Q	44
Normandy Immigration, Real Estate and Loan Association.	Bedford.	Sept. 7, 1889	Q Q	51
New England Building and Loan Association	Hamilton	Dec. 10, 1889	Q Q	58
National Land and Investment Company	Davidson	Mar. 22, 1890	Q Q	76
New Rome Land Company	Hamilton	April 28, 1890	Q Q	95
Nixon Addition Land Company	Roane	May 21, 1890	Q Q	106
New England Investment Company	Marion	Oct. 30, 1890	Q Q	147
North Jersey Land and Improvement Company	Hamilton	Nov. 10, 1890	Q Q	150
Nixon Building and Lumber Company	Davidson	Nov. 24, 1890	Q Q	153
Napier Iron Works	Lewis	May 29, 1890	J J	75
Nashville Range and Stove Company	Davidson	Aug. 20, 1890	J J	93
North Chattanooga Manufacturing Company	Hamilton	Oct. 13, 1890	J J	111
Nelson Merry College	Jefferson	Jan. 3, 1889	P	279

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Nashville, Florence and Sheffield Railroad (amended)	Davidson	Aug. 20, 1889	P	435
Newbern Bank (amended)	Dyer	Aug. 31, 1889	P	443
Nashville Lumber Company (amended)	Davidson	Mar. 8, 1890	P	543
Nashville and Edgefield Street R. R. Co (consolidated)	Davidson	May 3, 1890	P	563
Nashville Relief Society (amended)	Davidson	June 20, 1890	P	608
National Aid and Loan Association	Hamilton	Sept. 8, 1890	P	675
Nashville Trust Company (amended)	Davidson	Oct. 6, 1890	P	688
Nashville, Florence and Sheffield R. R. Co (amended)	Maury	Dec. 11, 1890	P	741
Nashville, Florence and Sheffield R. R. Co (amended)	Maury	Dec. 11, 1890	P	743
Nashville Yacht Club	Davidson	April 28, 1890	O	182
O				
Ogden Bros. & Co	Knox	May 14, 1889	T	313
M. J. O'Brien Grocery Company	Hamilton	Oct. 22, 1889	T	411
H. B. Oliver & Company	Smith	Mar. 11, 1890	U	10
Overton Lumber Company	Overton	April 11, 1890	N	153
Ocoee Land Company	Hamilton	Apr.1, 10, 1890	Q Q	86
Old Dominion Land Company	Sullivan	May 28, 1889	J J	32
Ohio Falls Car Company, Tennessee Midland Railway Company, Agreement	Shelby	Nov. 20, 1889	P	490
Ohio Falls Car Company, Tennessee Coal, Iron and Railroad Company, Agreement	Hamilton	Dec. 30, 1889	P	510
Oneida Land and Mineral Company	Scott	Sept. 8, 1890	P	678
Oliver Springs High School Company	Roane	Nov. 17, 1890	P	718
Ohio Falls Car Company, Tennessee Coal, Iron and Ralroad Company, Agreement	Filed	Dec. 5, 1890	P	723
P				
Peoples' Grocery Company	Shelby	Jan. 29, 1889	T	191
Pulaski Ice Factory Company	Giles	Feb. 1, 1889	T	197
Perpetual Building and Savings Association	Knox	Feb. 7, 1889	T	208
Palmerville Union Stock Store	Weakley	Feb. 12, 1889	T	211
Patterson Transfer Company	Shelby	Mar. 29, 1889	T	261
Pylant Springs and Hurricane Hotel Company	Coffee	April 26, 1889	T	291
Pennock Electric Railway Company	Hamilton	July 5, 1889	T	359
Peoples W. O., Grocery Company	Hamilton	July 10, 1889	T	371
Provident Accident Insurance Company of Chattanooga	Hamilton	July 19, 1889	T	379
Paris Medicine Company	Henry	Aug. 20, 1889	T	409
Pittsburg Coal Company	Shelby	Sept. 25, 1889	T	447
Palace Hotel Company	Knox	Nov. 21, 1889	T	489
Perry Stove Manufacturing Company	Marion	Dec. 9, 1889	T	507
Peoples' Ice and Storage Company	Rutherford	April 1, 1890	U	31
Pleasant Garden Cemetery Company	Hamilton	May 17, 1890	U	61
Paris High School	Henry	July 5, 1890	U	91
Powells River Lumber Company	Claiborne	Oct. 30, 1890	U	138
Phillipsburg Land Company	Cumberland	Dec. 16, 1890	U	172
Peoples' Building and Loan Association	Knox	Dec. 22, 1890	U	176
Paint Rock, Winchester and Memphis R. R. Company	Franklin	Feb. 5, 1890	S	361
Peoples' Savings Bank	Madison	Jan. 31, 1889	vol 1,	54
Peoples' Bank	Marshall	April 4, 1889	vol 1,	58
Peoples' Bank of Milan	Gibson	June 20, 1889	vol 1,	63
Peoples' Bank	Wilson	Sept. 10, 1889	vol 1,	75
Penny Savings Bank	Hamilton	Feb. 22, 1890	vol 1,	95
Peoples' Bank of Clifton	Wayne	Aug. 26, 1890	v'l 1,	110
Phœnix Bank and Trust Company	Hamilton	Oct. 17, 1890	v'l 1,	120
Peoples' Bank of Pikeville, Tennessee	Bledsoe	Nov. 19, 1890	v'l 1,	124
Porter Guards	Henry	Aug. 9, 1889	M	13
Peoples' Building and Savings Association	Davidson	Feb. 8, 1889	N	107
Pennsylvania Electric Signal Company	Davidson	Sept. 3, 1889	N	124
Pennock Battery Electric Light Company	Hamilton	Feb. 7, 1889	Q	27 28
Phœnix Land Company	Hamilton	Mar. 21, 1889	Q	30
Piedmont Land and Loan Company	Hamilton	Sept. 16, 1889	Q	38
Pythian Castle Association	Shelby	Mar. 22, 1890	Q	54
Pikeville Land and Improvement Company	Bledsoe	June 4, 1890	Q	66
John R. Proctor Land Company	Washington	April 5, 1890	Q Q	82
Pioneer Land Company	Sullivan	May 9, 1890	Q Q	102
Pomona Land and Trust Company	Cumberland	June 14, 1890	Q Q	118
Press Printing Company	Hamilton	June 20, 1890	Q Q	119

CHARTERED CORPORATIONS—*Continued.*

NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Paragon Gas Burner Company	Davidson	July 24, 1890	J J	37
Pioneer Steel and Rolling Mill Company	Sullivan	Dec. 14, 1890	J J	85
Pneumatic Railway Company	Davidson	Feb. 6, 1889	P	303
Piney Creek Coal and Land Company	Hamilton	Mar. 14, 1889	P	333
Phœnix Loan and Trust Company	Lincoln	July 12, 1889	P	411
Paint Rock Coal and Coke Company	Scott	Oct. 17, 1889	P	474
Paint Rock Coal and Coke Company	Scott	Nov. 21, 1889	P	495
Porterfield High School	Rutherford	Dec. 19, 1889	P	508
Perry Stove Manufacturing Company	Marion	Feb. 15, 1890	P	530
Phillips & Buttorff Manufacturing Company (amended)	Davidson	March 7, 1890	P	542
Pulaski Creamery	Giles	May 17, 1890	P	575
Paducah and Tennessee Railway Company (consolidated)	Filed	Aug. 7, 1890	P	622
Planters' Oil Mill Company (amended)	Shelby	Aug. 13, 1890	P	631
Pickwick Club	Davidson	Feb. 14, 1889	O	101
Pilgrims' Aid Society	Chester	March 4, 1889	O	107
Park Place Presbyterian Church	Houston	April 13, 1889	O	115
Palmer Literary Club	Montgomery	May 22, 1889	O	121
Pulaski Academy	Giles	Sept. 24, 1889	O	148
Pat Cleburne Club	Davidson	Dec. 19, 1890	O	211
R				
Readers' Co-operative Union	Hamilton	Feb. 11, 1889	T	209
Renoro Lumber Manufacturing Company	Shelby	Feb. 20, 1889	T	219
Rogano Co-operative Store	Sumner	June 25, 1889	T	353
Radam Microbe Killer Company of Nashville	Davidson	July 18, 1889	T	377
Robertson County Driving Park Association	Robertson	Sept. 6, 1889	T	423
Rangum Root Medicine Company	Davidson	Oct. 2, 1889	T	455
Red Boiling Springs Hotel Company	Davidson	Nov. 30, 1889	T	493
Round Table Publishing Company	Davidson	Dec. 26, 1889	T	519
Rockford Cotton Mills	Blount	Jan. 21, 1890	T	545
Ridgedale Light and Power Company	Hamilton	Mar. 25, 1890	U	21
Rockwood Hotel Company	Roane	Mar. 28, 1890	U	24
Red Boiling Springs Company	Macon	June 19, 1890	U	85
Roan Mountain Hotel and Improvement Company	Washington	Oct. 13, 1890	U	126
Riverside Electric Railroad Company	Knox	April 27, 1889	R	30
Rossville and Chickamauga Street Railroad Company	Hamilton	Nov. 16, 1889	R	49
Rockwood Railroad Company	Roane	Feb. 27, 1890	R	51
Rock City Electric Railway Company	Davidson	June 12, 1890	R	55
Rhea County Bank	Rhea	Sept. 16, 1889	vol 1,	77
Ross Mehan Brake Shoe Foundry Company	Hamilton	Jan. 15, 1889	N	103
Rosenheim Company	Davidson	Sept. 25, 1889	N	126
Rhea County Land and Abstract Company	Rhea	Dec. 17, 1889	N	137
Roane County Abstract Company	Roane	Dec. 18, 1889	Q	47
Roane Land Company	Hamilton	Jan. 28, 1890	Q	48
R. F. Carr Town Company	Claiborne	Mar. 29, 1890	Q	56
Richardson Investment Company	Hamilton	July 25, 1890	Q	74
Ridgeway Land Company	Shelby	Dec. 10, 1890	Q	95
Riverside Improvement Company	Knox	May 20, 1889	Q Q	46
Rogers Syndicate Land Company	Claiborne	June 5, 1890	Q Q	110
Rogersville Improvement Company	Hawkins	July 18, 1890	Q Q	129
Richardson Investment Company	Hamilton	Sept. 19, 1890	Q Q	138
Royal Coal and Coke Company	Campbell	Jan. 28, 1890	J J	25
Rockwood Lumber and Wookworking Company	Roane	May 3, 1890	J J	69
Round Mountain Coal Company	Hamilton	June 14, 1890	J J	80
Rogersville Mill Company	Hawkins	July 7, 1890	J J	87
Rock City Spring Bed and Mattress Company	Davidson	Nov. 10, 1890	J J	116
Reform Christian Aid Society	Hamilton	Jan. 17, 1889	P	282
Railroad Equipment Company and Tennesse Coal and Iron Company, contract	Davidson	Feb. 6, 1889	P	298
Railroad Equipment Company and Tennessee Coal, Iron and Railroad Company, contract		April 10, 1889	P	353
Republican Eagle Newspaper and Job Printing Company	Shelby	May 25, 1889	P	387
Rockdale Mining and Manufacturing Co. (amended)	Davidson	Aug. 10, 1889	P	432
Ripley Bank	Lauderdale	Feb. 14, 1890	P	529
Rucker Seminary	Rutherford	July 10, 1890	P	606
Richardson Investment Company (amended)	Hamilton	Dec. 24, 1890	P P	5
Rock City Gun Club	Davidson	Mar. 27, 1889	O	112
Rock City Gun Club	Davidson	May 1, 1889	O	119
Retail Grocers' Association	Hamilton	July 19, 1889	O	129

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NAME OF CORPORATION.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
Royal Detective Association	Hamilton	July 24, 1890	O	195
Ruth Circle of King's Daughters	Hamilton	Dec. 24, 1890	O	212
S				
Smith & Peoples Furniture Company	Hamilton	Jan. 3, 1889	T	159
Southern Building and Loan Association	Knox	Jan. 7, 1889	T	163
South Tredegar Iron Company	Hamilton	Jan. 24, 1889	T	183
South Pittsburg Electric Light and Power Company	Marion	Feb. 13, 1889	T	213
Schoolfield-Hanauer Company	Shelby	Mar. 22, 1889	T	253
Shelby Manufacturing and Fertilizer Company	Shelby	April 15, 1889	T	269
Stella Grate Manufacturing Company	Hamilton	April 19, 1889	T	273
Southern Dynamite Company	Hamilton	April 24, 1889	T	285
John Sevier College	Sevier	May 27, 1889	T	327
Southern Chemical Company	Shelby	June 13, 1889	T	341
Standard Soap Company	Warren	June 20, 1889	T	349
Spencer Medicine Company	Greene	July 10, 1889	T	373
Sons and Daughters of Zion	Roane	Aug. 8, 1889	T	393
Savannah Educational Company	Hardin	Aug. 9, 1889	T	395
South Chattanooga Savings Bank	Hamilton	Aug. 12, 1889	T	399
Somerville Mill and Gin Company	Fayette	Aug. 14, 1889	T	403
Stewart County Fair Association	Stewart	Oct. 9, 1889	T	459
Street Railway Loan and Trust Company	Hamilton	Oct. 16, 1889	T	469
Southern Equipment Company	Hamilton	Nov. 5, 1889	T	475
Stratton Company	Shelby	Dec. 3, 1889	T	497
South Pittsburg Pipe Works	Marion	Dec. 9, 1889	T	505
Southern Accident Company	Knox	Dec. 12, 1889	T	513
Stanton House Company	Hamilton	Jan. 10, 1889	T	537
Settle Hill Manufacturing Company	Davidson	Mar. 29, 1890	U	27
Sequatchie Valley Mining and Manufacturing Company	Hamilton	April 23, 1890	U	40
South Pittsburg Land, Mining and Manufacturing Co	Marion	May 8, 1890	U	54
South Pittsburg Construction and Building Company	Marion	May 31, 1890	U	76
Sequatchie Valley Coal and Coke Company	Bledsoe	June 5, 1890	U	78
Southern Construction Company	Hamilton	June 6, 1890	U	79
Sweetwater Mill Company	Monroe	June 11, 1890	U	82
Schubert's Hotel Company	Knox	June 25, 1890	U	87
Shyer-Bernheim Paper Company	Davidson	July 18, 1890	U	97
Southern Soda Works	Davidson	July 30, 1890	U	100
Stevens Furnishing Company	Shelby	Aug. 2, 1890	U	102
Sequatchie Sewing Machine Manufacturing Company	Marion	Sept. 4, 1890	U	110
Sequatchie Furniture Manufacturing Company	Marion	Sept. 4, 1890	U	114
J. W. Sackett Company	Davidson	Sept. 27, 1890	U	121
State Reformatory, Industrial, Eudcational and Manufacturing Institute	Davidson	Oct. 4, 1890	U	122
Sequatchie Electric Light Company	Marion	Oct. 13, 1890	U	127
Sequatchie Agricultural Works	Marion	Oct. 13, 1890	U	128
Southern Monumental Company	Hamilton	Nov. 5, 1890	U	145
Sons of Toil	Tipton	Dec. 12, 1890	U	169
Southern Manufacturing Company	Hamilton	Dec. 18, 1890	U	173
Smith & Sharp Mining Company	Lawrence	April 17, 1889	S	237
St. Louis and Birmingham Railroad Company	Wayne	May 8, 1889	S	249
Suburban Electric Railway Company	Davidson	May 27, 1889	S	257
Spring Lake City Railway Company	Shelby	June 18, 1889	S	265
Sequatchie Valley Mining and Railroad Company	Marion	July 23, 1889	S	273
South Atlantic and Ohio R. R. Company, Tenn. Division	Sullivan	Dec. 11, 1889	S	325
Southern Coal, Iron and Railroad Company	Knox	Jan. 4, 1890	S	349
South Pittsburg, Kimball and Jasper Street Railway	Marion	Jan. 6, 1890	S	353
Spring City, Rhea Springs and Tennessee River R'y Co	Rhea	June 7, 1890	S	429
Starrs Mountain Railroad Company	McMinn	Oct. 3, 1890	S	481
Shelbyville, Nashville and Northern Railway Company	Davidson	Oct. 17, 1890	S	493
Southern Trust Company	Shelby	April 3, 1889	vol 1,	57
Southern Investment Company	Davidson	Nov. 14, 1890	v'l 1,	123
Somerville Steam Laundry Company	Fayette	July 22, 1889	N	121
Sardis Wheeler Stove Company	Henderson	Sept. 20, 1889	N	128
Southern Amusement Company	Shelby	Nov. 26, 1890	N	135
Standard Dynamite Company	Davidson	Dec. 7, 1889	N	136
Southern Monument Company	Knox	May 28, 1890	N	164
State Building and Savings Association	Davidson	June 19, 1890	N	165
Savings and Investment Company	Hamilton	April 26, 1889	Q	83
South Kensington Land Company	Hamilton	June 18, 1890	Q	70

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Name of Corporation.	County where registered.	When registered in Secretary of State's office.	Book.	Page.
South Tennessee Land Company	Hamilton	July 15, 1890	Q	73
St. Elmo Land and Improvement Company	Hamilton	Sept. 17, 1890	Q	86
Savings Investment Company	Knox	Jan. 31, 1889	Q Q	38
South-west Bristol Improvement Company	Sullivan	May 20, 1889	Q Q	47
Summit City Land and Improvement Company	Hamilton	Jan. 9, 1890	Q Q	61
Sequatchie Valley Land and Improvement Company	Marion	Mar. 15, 1890	Q Q	71
Summer House Land Company	Marion	Mar. 20, 1890	Q Q	75
Southern Land and Loan Association	Knox	Mar. 22, 1890	Q Q	77
Sequatchie Valley Telephone Company	Marion	May 7, 1890	Q Q	100
South Cardiff Land Company	Roane	June 20, 1890	Q Q	120
South Bristol Industrial and Land Company	Sullivan	June 30, 1890	Q Q	121
South-west Bristol Land Company	Sullivan	July 19, 1890	Q Q	130
Sequatchie Town and Improvement Company	Marion	July 21, 1890	Q Q	131
Sequatchie and Tennessee River Improvement Company	Marion	Oct. 14, 1890	Q Q	142
Sequatchie Brick Company	Sequatchie	Nov. 13, 1890	Q Q	151
South View Land Company	Knox	Nov. 29, 1890	Q Q	154
Specific Oxygen Company	Davidson	Jan. 25, 1889	J J	24
Southern Lumber and Manufacturing Company	Hamilton	Dec. 3, 1889	J J	43
Sequatchie and South Pittsburg C. and I. Company	Marion	Dec. 16, 1889	J J	47
South India Pale Ale and Brewing Company	Davidson	Dec. 24, 1889	J J	48
Signal Dispatch Telegragh Company	Davidson	Dec. 24, 1889	J J	49
Standard Brick Company	Claiborne	Mar. 4, 1890	J J	57
Sequatchie Valley Coal and Iron Company	Hamilton	Mar. 18, 1890	J J	59
Smithdale Iron Company	Lawrence	July 9, 1890	J J	88
Southern Maleable Iron Company	Hamilton	Aug. 28, 1890	J J	100
Sweetwater Hotel Association	Monroe	Oct. 9, 1890	J J	108
Southern Corrugated Barrel Company	Hamilton	Oct. 30, 1890	J J	115
Spring City Mill Company (limited)	Rhea	Nov. 12, 1890	J J	117
Sequatchie Valley Coal and Coke Company	Marion	Nov. 13, 1890	J J	118
Sanitary and Fertilizer Company	Davidson	Mar. 12, 1889	P	330
Sanitary and Fertilizer Company (amended)	Davidson	June 10, 1889	P	394
South Secretarial Institute of Y. M. C. A	DeKalb	June 29, 1889	P	403
Sherman Manufacturing Company (amended)	Madison	July 3, 1889	P	407
Sons and Daughters of Zion	Bradley	July 20, 1889	P	415
Sweetwater Woolen Mills	Monroe	Aug. 29, 1889	P	438
Supreme Lodge Ancient Order United Knights and Daughters of Africa	Davidson	Oct. 19, 1889	P	477
Southern Home Business Company	Morgan	Feb. 28, 1890	P	538
Sterling Dynamite Company	Hamilton	June 24, 1890	P	604
Sumner City Land and Improvement Company	Bledsoe	Aug. 9, 1890	P	616
Security Trust Company	Hamilton	Aug. 14, 1890	P	634
Southern Normal University	Carroll	Aug. 18, 1890	P	639
Sequatchie Water-works Company	Marion	Sept. 4, 1890	P	665
Southern Iron and Timber Company	Hamblen	Sept. 10, 1890	P	680
Social Circle Society of Davidson County (amended)	Davidson	Sept. 15, 1890	P	681
Supreme Council of Royal League	Davidson	Oct. 3, 1890	P	683
Sequatchie Manufacturing Company	Marion	Oct. 27, 1890	P	705
Shamrock Club	Davidson	Feb. 5, 1889	O	97
Sons and Daughters of Aaron	Giles	Feb. 14, 1889	O	100
Sunday School Union of the A. M. E. Church	Davidson	Feb. 18, 1889	O	103
Southern Mutual Aid Association	Knox	Mar. 1, 1889	O	106
Sisters Union	Madison	May 20, 1889	O	120
South Nashville Literary and Amusement Club	Davidson	July 9, 1889	O	135
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Silver Moon Lodge No. 1803 Grand United Order of Odd Fellows	Knox	Feb. 18, 1890	O	170
Societa Cristofora Columbo	Shelby	Feb. 26, 1890	O	178
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Santa Fe College	Maury	May 9, 1890	O	187
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Tennessee Oil Company	Hamilton	Feb. 2, 1889	T	199
Tennessee Producers' Marble Company	Knox	Feb. 20, 1889	T	221
Tennessee Dynamite Company	Hamilton	Feb. 23, 1889	T	227
Tennessee Paint, Roof and Paving Company	Hamilton	Mar. 19, 1889	T	251
Tennessee Land and Timber Company	Williamson	April 22, 1889	T	279
Tulli-Oka	Washington	May 1, 1889	T	299
Tennessee Medical College	Knox	May 9, 1889	T	307
Tennessee Natural Gas Company	Shelby	Sept. 9, 1889	T	427
Tennessee Adamant Company	Davidson	Sept. 18, 1889	T	439
Tablet Snuff Company	Hamilton	Dec. 5, 1889	T	403
Tennessee Ice Company	Madison	Jan. 29, 1890	T	557
Trenton Foundry and Machine Shops	Gibson	Jan. 31, 1890	T	562
Tipton Flouring Mills	Tipton	Feb. 21, 1890	U	3
Tennessee Medicine Company	Hamblen	Mar. 13, 1890	U	12
Truxal and Dunmeyer Manufacturing Company	Hamilton	Mar. 15, 1890	U	15
Timothy Dry Goods Company	Davidson	Mar. 25, 1890	U	26
Trimble Banking Company	Dyer	May 7, 1890	U	50
Tennessee and North Carolina Mining and Manuf'g Co	Washington	June 2, 1890	U	65
Tennessee Barrel Hoop and Manufacturing Company	Tipton	July 14, 1890	U	93
Tennessee Hub and Spoke Factory	Sumner	July 16, 1890	U	96
Tazewell Hotel Company	Claiborne	Aug. 15, 1890	U	107
T. A. Thomas Drug Company	Montgomery	Sept. 4, 1890	U	112
Tennessee Mutual Building and Loan Association	Hamilton	Oct. 9, 1890	U	124
Troy Hardware Company	Obion	Oct. 15, 1890	U	131
Tennessee Slate Company	Hamilton	Nov. 5, 1890	U	144
Times Villa Company	Hamilton	Nov. 12, 1890	U	152
Tennessee River Boom Company	Hamilton	Nov. 20, 1890	U	155
Thacher, Dr. H. S., Medicine Company	Hamilton	Dec. 5, 1890	U	167
Thomas Cotton Cultivator Company	Tipton	Dec. 15, 1890	U	171
Tullahoma, Elk River and Huntsville Railroad Company	Coffee	Dec. 20, 1890	U	176
Tennessee Valley Railway Company	Roane	Dec. 7, 1889	S	317
Tennessee River, Dayton and Pikeville Railway Company	Rhea	May 17, 1890	S	413
Tennessee State Bank	Gibson	Aug. 30, 1890	v'l	1,112
Tennessee Bank and Trust Company	Roane	Dec. 13, 1890	v'l	1,126
Trenton Planing Mill and Box Factory	Gibson	Feb. 20, 1889	N	108
Tennessee Building and Loan Association	Davidson	June 25, 1889	N	116
Tennessee Volta Eclipse Electric Company	Shelby	April 14, 1890	N	154
Tennessee Electric Light Company	Hamilton	May 6, 1889	Q	35
Trimble Rolling Mill Company	Dyer	Feb. 13, 1890	Q	51
Tennessee Paving Company	Hamilton	Aug. 1, 1890	Q	75
Tennessee Land and Investment Company	Knox	Aug. 27, 1890	Q	80
Tullahoma Ice and Electric Light Company	Coffee	Feb. 16, 1889	Q Q	41
Tennessee and Alabama Land and Improvement Company.	Coffee	Aug. 1, 1889	Q Q	50
Tennessee and Alabama Land, Mining and Railway Co	Franklin	Nov. 14, 1889	Q Q	56
Tennessee Town Company	Hamilton	May 23, 1890	Q Q	107
Tillery Springs Land Company	Knox	Sept. 23, 1890	Q Q	139
Tennessee Investment Company	Sullivan	Oct. 20, 1890	Q Q	143
Tennessee Milling Company	Maury	April 4, 1889	J J	23
Tennessee Paving Brick Company	Hamilton	July 8, 1889	J J	85
Tennessee Iron, Coal and Railroad Company	Anderson	July 24, 1890	J J	90
Tennessee Coal and Iron Company, and Railroad Equipment Company (contract)	Davidson	Feb. 6, 1889	P	298
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Tennessee Constructing and Building Company (amended)	Hamilton	April 25, 1889	P	365
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Tennessee Coal, Iron and Railroad Company (amended)	Davidson	July 20, 1889	P	417
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Tennessee Midland Railway Company and Ohio Falls Car Company (agreement)	Shelby	Nov. 20, 1889	P	490
Terry Show Case Company (amended)	Davidson	Dec. 17, 1889	P	507
Tennessee Coal, Iron and Railroad Company and Ohio Falls Car Company (agreement)	Hamilton	Dec. 30, 1889	P	510
Tennessee Woolen Mills	Warren	Feb. 10, 1890	P	525
Tullahoma Foundry and Machine Works	Coffee	Feb. 13, 1890	P	527
Tennessee Investment Company	Sullivan	May 8, 1890	P	574

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Title Guarantee and Trust Company of Chattanooga	Hamilton	Aug. 28, 1889	P	660
Taylor-Ramsey Milling Company	Gibson	Sept. 20, 1890	P	684
Tennessee Coal, Iron and Railroad Company and Ohio Falls Car Company (agreement)	Filed	Dec. 5, 1890	P	723
Tennessee Land and Improvement Company	Coffee	Dec. 10, 1890	P	737
Tennessee Pacing Horse Breeders' Association	Davidson	Oct. 14, 1889	O	152
Tennessee Rifle Social Club	Shelby	Oct. 28, 1890	O	205
U				
Union Stove Company	Humphreys	Mar. 16, 1889	T	247
Union City Roller Mill Company	Obion	Mar. 16, 1889	T	249
Union Poultry and Egg Company	Shelby	April 20, 1889	T	277
Union American Society	Rutherford	April 23, 1889	T	281
Union Tobacco Warehouse	Montgomery	Sept. 19, 1889	T	443
Union City Street Railway Company	Obion	June 19, 1889	R	33
United Electric Railway	Davidson	Dec. 10, 1889	R	50
Unaka and Nolachucky Railway Company	Greene	Aug. 13, 1890	S	465
Union Savings Bank	Shelby	Sept. 16, 1890	v'l	1,115
Union Land and Improvement Company	Hamilton	Jan. 3, 1889	Q Q	59
United Coal Company	Anderson	Nov. 4, 1889	J J	41
Union Mills	Davidson	May 10, 1890	J J	72
United Charities of Memphis	Shelby	Feb. 12, 1889	P	306
United Sons and Daughters of the Final Faithful	Shelby	Mar. 22, 1889	P	340
U. S. Grant University	Hamilton	Oct. 28, 1889	P	482
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Union Automatic Gas Company	Davidson	April 19, 1890	P	558
United Sons and Daughter of Canaan (amended)	Hamilton	Aug. 1, 1890	P	614
United Electric Railway (amended)	Davidson	Dec. 27, 1890	P P	9
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United Sons and Daughters of Canaan	Hamilton	June 25, 1889	O	132
University Congregational M. E. Church	Davidson	Aug. 27, 1889	O	141
Urbana Club	Hamilton	Feb. 22, 1890	O	172
United Sons and Daughters of Charity	Maury	May 8, 1890	O	186
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Universal Aid Society No. 4	Madison	Sept. 17, 1890	O	200
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W				
Watauga Boom and Lumber Company	Carter	Jan. 15, 1889	T	173
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Wolf River Boom Company	Davidson	March 6, 1889	T	243
West Tennessee Fair Association	Gibson	April 13, 1889	T	267
Wheeler Roller Company	Gibson	May 31, 1889	T	329
Wheelis-Keeling Gin and Grist Company	Haywood	Sept. 13, 1889	T	433
Wheeler Roller Mill Company	Gibson	Dec. 10, 1889	T	509
Wooldridge Stove Company	Shelby	March 4, 1890	U	6
Watauga Water Company	Washington	Mar. 14, 1890	U	13
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West Knoxville Sewer Company	Knox	May 3, 1890	U	49
Willingham Sash and Door Company	Hamilton	May 10, 1890	U	55
Walton Coal Company	Shelby	May 29, 1890	U	74
Willingham & Company	Hamilton	Nov 7, 1890	U	148
Winchester University	Franklin	Nov. 26, 1890	U	159

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Wingfield Transfer Company	Hamilton	Dec. 18, 1890	U	174
Watauga Valley Railroad Company	Washington	Oct. 28, 1889	S	289
Watauga Valley Railroad Company	Washington	Nov. 20, 1889	S	309
White's Creek, Rockwood and Emory River Railroad Company	Roane	Dec. 4, 1889	S	313
Watauga Valley Railroad Company	Carter	Dec. 10, 1889	S	333
Wartrace and Duck River Turnpike Company	Bedford	Dec. 26, 1889	S	337
Watauga Boom and Lumber Company	Carter	Dec. 26, 1889	S	341
Watauga Belt and Dummy Line Railway Company	Washington	April 10, 1890	S	389
West Virginia Coal, Iron and Lumber Company	Washington	May 10, 1890	S	401
Williamson County Banking and Trust Company	Williamson	June 14, 1889	vol 1,	62
Watauga Bank	Washington	Nov. 7, 1889	vol 1,	81
Wartrace, Bank of	Bedford	Dec. 23, 1890	v'l 1,	127
Wayne Lumber Manufacturing Company	Lawrence	Mar. 19, 1889	N	111
Weakley County Building and Loan Association	Weakley	April 18, 1889	N	112
Wall Mount Shoe Company	Shelby	July 16, 1889	N	118
Waverly Timber and Iron Company	Humphreys	Jan. 9, 1890	N	138
Watauga Gas Company	Washington	May 2, 1890	N	156
Watauga Lighting and Power Company	Washington	May 2, 1890	N	159
West Lawn Land Company	Knox	Mar. 26, 1889	Q Q	43
West End Land Company	Davidson	Dec. 3, 1889	Q Q	57
Wayne County Real Estate Company	Wayne	Feb. 3, 1889	Q Q	63
Watauga Land Company	Knox	March 3, 1890	Q Q	68
Wallview Land and Improvement Company	Marion	April 22, 1890	Q Q	94
Wautauga Improvement Company	Carter	Mar. 5, 1890	Q Q	97
Watauga Hematite Mining Company	Knox	March 3, 1890	J J	55
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West Side Driving Club	Davidson	April 20, 1889	O	117
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Y				
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Z				
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INCORPORATED TOWNS.

JANUARY 1, 1889, TO DECEMBER 31, 1890.

NAME.	County.	When Filed.
North Knoxville	Knox	Jan. 16, 1889
Hatchie	Madison	Feb. —, 1889
Gainsboro	Jackson.	March 23, 1889
Hall's Station	Lauderdale	April 18, 1889
Sparta	White	July 23, 1889
Lexington	Henderson	July 5, 1889
Mettebarger	Union	Aug. 22, 1889
Troy	Obion	Sept. 2, 1889
Tazewell	Claiborne	Sept. 30, 1889
Perryville	Decatur	Oct. 23, 1889
Bon Air Mines	White	Nov. 4, 1889
Rockwood	Roane	Nov. 13, 1889
Keck's Chapel	Claiborne	Nov. 20, 1889
Trimble	Dyer	Nov. 23, 1889
Bacchus	Claiborne	Dec. 12, 1889
Austin Springs	Weakley	Feb. 3, 1890
Rockwood	Roane	March 7, 1890
Cowan City	Claiborne	March 24, 1890
Spring City	Rhea	March 27, 1890
Madison Heights	Shelby	April 4, 1890
Emory Gap	Roane	May 26, 1890
Valley Home	Union	June 14, 1890
Silver Point	Putnam	July 12, 1890
Cardiff	Roane	Oct. 4, 1890
Cumberland Gap	Claiborne	Oct. 6, 1890
Madisonville	Monroe	Nov. —, 1890
Whiteville	Hardeman	Nov. —, 1890
Clinton	Anderson	Nov. —, 1890
Iron City	Lawrence	Nov. —, 1890
North Athens	McMinn	Dec. 1, 1890
Luttrell	Union	Dec. —, 1890

STATE OF TENNESSEE,
OFFICE OF THE SECRETARY OF STATE,
NASHVILLE, May 17, 1891.

I, CHARLES A. MILLER, Secretary of State of the State of Tennessee, do hereby certify that I have carefully collated the foregoing Acts and Resolutions, with original copies on file in my office, and find them correctly printed.

CHARLES A. MILLER,
Secretary of State.

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